

105TH CONGRESS  
2D SESSION

**S. 2073**

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**AMENDMENTS**

# ***In the House of Representatives, U. S.,***

*September 15, 1998.*

*Resolved*, That the bill from the Senate (S. 2073) entitled “An Act to authorize appropriations for the National Center for Missing and Exploited Children”, do pass with the following

## **AMENDMENTS:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2       (a) *SHORT TITLE.*—*This Act may be cited as the “Ju-*  
3 *venile Crime Control and Delinquency Prevention Act of*  
4 *1998”.*

5       (b) *TABLE OF CONTENTS.*—*The table of contents of this*  
6 *Act is as follows:*

*Sec. 1. Short title; table of contents.*

***TITLE I—AMENDMENTS TO JUVENILE JUSTICE AND DELINQUENCY  
PREVENTION ACT OF 1974***

*Sec. 101. Findings.*

*Sec. 102. Purpose.*

*Sec. 103. Definitions.*

*Sec. 104. Name of office.*

*Sec. 105. Concentration of Federal effort.*

*Sec. 106. Coordinating Council on Juvenile Justice and Delinquency Prevention.*

*Sec. 107. Annual report.*

*Sec. 108. Allocation.*

*Sec. 109. State plans.*

*Sec. 110. Juvenile delinquency prevention block grant program.*

*Sec. 111. Research; evaluation; technical assistance; training.*

*Sec. 112. Demonstration projects.*

*Sec. 113. Authorization of appropriations.*

- Sec. 114. Administrative authority.*
- Sec. 115. Use of funds.*
- Sec. 116. Limitation on use of funds.*
- Sec. 117. Rule of construction.*
- Sec. 118. Leasing surplus Federal property.*
- Sec. 119. Issuance of Rules.*
- Sec. 120. Technical and conforming amendments.*
- Sec. 121. References.*

## *TITLE II—AMENDMENTS TO THE RUNAWAY AND HOMELESS YOUTH ACT*

- Sec. 201. Findings.*
- Sec. 202. Authority to make grants for centers and services.*
- Sec. 203. Eligibility.*
- Sec. 204. Approval of applications.*
- Sec. 205. Authority for transitional living grant program.*
- Sec. 206. Eligibility.*
- Sec. 207. Authority to make grants for research, evaluation, demonstration, and service projects.*
- Sec. 208. Temporary demonstration projects to provide services to youth in rural areas.*
- Sec. 209. Sexual abuse prevention program.*
- Sec. 210. Assistance to potential grantees.*
- Sec. 211. Reports.*
- Sec. 212. Evaluation.*
- Sec. 213. Authorization of appropriations.*
- Sec. 214. Consolidated review of applications.*
- Sec. 215. Definitions.*
- Sec. 216. Redesignation of sections.*
- Sec. 217. Technical amendment.*

## *TITLE III—INCENTIVE GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS*

- Sec. 301. Duties and functions of the Administrator.*
- Sec. 302. Grants for prevention programs.*
- Sec. 303. Repeal of definition.*
- Sec. 304. Authorization of appropriations.*

## *TITLE IV—MISCELLANEOUS AMENDMENTS*

- Sec. 401. National Resource Center and Clearinghouse for Missing Children.*

## *TITLE V—REFORMING THE FEDERAL JUVENILE JUSTICE SYSTEM*

- Sec. 501. Delinquency proceedings or criminal prosecutions in*
- Sec. 502. Custody prior to appearance before judicial officer.*
- Sec. 503. Technical and conforming amendments to section 5034.*
- Sec. 504. Detention prior to disposition or sentencing.*
- Sec. 505. Speedy trial.*
- Sec. 506. Disposition; availability of increased detention, fines and supervised release for juvenile offenders.*
- Sec. 507. Juvenile records and fingerprinting.*
- Sec. 508. Technical amendments of sections 5031 and 5034.*
- Sec. 509. Clerical amendments to table of sections for chapter 403.*

*TITLE VI—APPREHENDING ARMED VIOLENT YOUTH*

*Sec. 601. Armed violent youth apprehension directive.*

*TITLE VII—ACCOUNTABILITY FOR JUVENILE OFFENDERS AND  
PUBLIC PROTECTION INCENTIVE GRANTS*

*Sec. 701. Short title.*

*Sec. 702. Block grant program.*

*TITLE VIII—SPECIAL PRIORITY FOR CERTAIN DISCRETIONARY  
GRANTS*

*Sec. 801. Special priority.*

*TITLE IX—GRANT REDUCTION*

*Sec. 901. Parental notification.*

*TITLE X—GENERAL PROVISIONS*

*Sec. 1001. Effective date; application of amendments.*

1 ***TITLE I—AMENDMENTS TO JU-***  
2 ***VENILE JUSTICE AND DELIN-***  
3 ***QUENCY PREVENTION ACT OF***  
4 ***1974***

5 ***SEC. 101. FINDINGS.***

6 *Section 101 of the Juvenile Justice and Delinquency*  
7 *Prevention Act of 1974 (42 U.S.C. 5601) is amended to read*  
8 *as follows:*

9 *“FINDINGS*

10 *“SEC. 101. (a) The Congress finds the following:*

11 *“(1) There has been a dramatic increase in juve-*  
12 *nile delinquency, particularly violent crime commit-*  
13 *ted by juveniles. Weapons offenses and homicides are*  
14 *two of the fastest growing crimes committed by juve-*  
15 *niles. More than one-half of juvenile victims are killed*  
16 *with a firearm. Approximately one-fifth of the indi-*

viduals arrested for committing violent crime are less than 18 years of age. The increase in both the number of youth below the age of 15 and females arrested for violent crime is cause for concern.

“(2) This problem should be addressed through a 2-track common sense approach that addresses the needs of individual juveniles and society at large by promoting—

“(A) quality prevention programs that—

“(i) work with juveniles, their families, local public agencies, and community-based organizations, and take into consideration such factors as whether or not juveniles have been the victims of family violence (including child abuse and neglect); and

“(ii) are designed to reduce risks and develop competencies in at-risk juveniles that will prevent, and reduce the rate of, violent delinquent behavior; and

“(B) programs that assist in holding juveniles accountable for their actions, including a system of graduated sanctions to respond to each delinquent act, requiring juveniles to make restitution, or perform community service, for the damage caused by their delinquent acts, and

1           *methods for increasing victim satisfaction with*  
 2           *respect to the penalties imposed on juveniles for*  
 3           *their acts.*

4           “(b) Congress must act now to reform this program  
 5 *by focusing on juvenile delinquency prevention programs,*  
 6 *as well as programs that hold juveniles accountable for their*  
 7 *acts. Without true reform, the criminal justice system will*  
 8 *not be able to overcome the challenges it will face in the*  
 9 *coming years when the number of juveniles is expected to*  
 10 *increase by 30 percent.”.*

11   **SEC. 102. PURPOSE.**

12           *Section 102 of the Juvenile Justice and Delinquency*  
 13 *Prevention Act of 1974 (42 U.S.C. 5602) is amended to read*  
 14 *as follows:*

15   “PURPOSES

16           “SEC. 102. *The purposes of this title and title II are—*

17                           “(1) *to support State and local programs that*  
 18                           *prevent juvenile involvement in delinquent behavior;*

19                           “(2) *to assist State and local governments in*  
 20                           *promoting public safety by encouraging accountabil-*  
 21                           *ity for acts of juvenile delinquency; and*

22                           “(3) *to assist State and local governments in ad-*  
 23                           *dresssing juvenile crime through the provision of tech-*  
 24                           *nical assistance, research, training, evaluation, and*  
 25                           *the dissemination of information on effective pro-*  
 26                           *grams for combating juvenile delinquency.”.*

1 **SEC. 103. DEFINITIONS.**

2 *Section 103 of the Juvenile Justice and Delinquency*  
 3 *Prevention Act of 1974 (42 U.S.C. 5603) is amended—*

4 *(1) in paragraph (3) by striking “to help prevent*  
 5 *juvenile delinquency” and inserting “designed to re-*  
 6 *duce known risk factors for juvenile delinquent behav-*  
 7 *ior, provides activities that build on protective factors*  
 8 *for, and develop competencies in, juveniles to prevent,*  
 9 *and reduce the rate of, delinquent juvenile behavior”;*

10 *(2) in paragraph (4) by inserting “title I of” be-*  
 11 *fore “the Omnibus” each place it appears;*

12 *(3) in paragraph (7) by striking “the Trust Ter-*  
 13 *ritory of the Pacific Islands,”;*

14 *(4) in paragraph (9) by striking “justice” and*  
 15 *inserting “crime control”;*

16 *(5) in paragraph (12)(B) by striking “; of any*  
 17 *nonoffender,”;*

18 *(6) in paragraph (13)(B) by striking “, any*  
 19 *non-offender,”;*

20 *(7) in paragraph (14) by inserting “drug traf-*  
 21 *ficking,” after “assault,”;*

22 *(8) in paragraph (16)—*

23 *(A) in subparagraph (A) by adding “and”*  
 24 *at the end; and*

25 *(B) by striking subparagraph (C);*

26 *(9) by striking paragraph (17);*

1           (10) in paragraph (22)—

2                   (A) by redesignating subparagraphs (i),  
3                   (ii), and (iii) as subparagraphs (A), (B), and  
4                   (C), respectively; and

5                   (B) by striking “and” at the end;

6           (11) in paragraph (23) by striking the period at  
7           the end and inserting a semicolon;

8                   (12) by redesignating paragraphs (18), (19),  
9                   (20), (21), (22), and (23) as paragraphs (17) through  
10                  (22), respectively; and

11                  (13) by adding at the end the following:

12                   “(23) the term ‘boot camp’ means a residential  
13                  facility (excluding a private residence) at which there  
14                  are provided—

15                           “(A) a highly regimented schedule of dis-  
16                           cipline, physical training, work, drill, and cere-  
17                           mony characteristic of military basic training;

18                           “(B) regular, remedial, special, and voca-  
19                           tional education; and

20                           “(C) counseling and treatment for substance  
21                           abuse and other health and mental health prob-  
22                           lems;

23                   “(24) the term ‘graduated sanctions’ means an  
24                  accountability-based, graduated series of sanctions  
25                  (including incentives and services) applicable to juve-



1        *niles within the juvenile justice system to hold such*  
 2        *juveniles accountable for their actions and to protect*  
 3        *communities from the effects of juvenile delinquency*  
 4        *by providing appropriate sanctions for every act for*  
 5        *which a juvenile is adjudicated delinquent, by induc-*  
 6        *ing their law-abiding behavior, and by preventing*  
 7        *their subsequent involvement with the juvenile justice*  
 8        *system;*

9                *“(25) the term ‘violent crime’ means—*

10                *“(A) murder or nonnegligent manslaughter,*  
 11                *forcible rape, or robbery; or*

12                *“(B) aggravated assault committed with the*  
 13                *use of a firearm;*

14                *“(26) the term ‘co-located facilities’ means facili-*  
 15                *ties that are located in the same building, or are part*  
 16                *of a related complex of buildings located on the same*  
 17                *grounds; and*

18                *“(27) the term ‘related complex of buildings’*  
 19                *means 2 or more buildings that share—*

20                *“(A) physical features, such as walls and*  
 21                *fences, or services beyond mechanical services*  
 22                *(heating, air conditioning, water and sewer); or*

23                *“(B) the specialized services that are allow-*  
 24                *able under section 31.303(e)(3)(i)(C)(3) of title*

1           *28 of the Code of Federal Regulations, as in ef-*  
 2           *fect on December 10, 1996.”.*

3 **SEC. 104. NAME OF OFFICE.**

4           *Title II of the Juvenile Justice and Delinquency Pre-*  
 5           *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—*

6           (1) *by amending the heading of part A to read*  
 7           *as follows:*

8           *“PART A—OFFICE OF JUVENILE CRIME CONTROL AND*  
 9                                 *DELINQUENCY PREVENTION”;*

10           (2) *in section 201(a) by striking “Justice and*  
 11           *Delinquency Prevention” and inserting “Crime Con-*  
 12           *trol and Delinquency Prevention”; and*

13           (3) *in subsections section 299A(c)(2) by striking*  
 14           *“Justice and Delinquency Prevention” and inserting*  
 15           *“Crime Control and Delinquency Prevention”.*

16 **SEC. 105. CONCENTRATION OF FEDERAL EFFORT.**

17           *Section 204 of the Juvenile Justice and Delinquency*  
 18           *Prevention Act of 1974 (42 U.S.C. 5614) is amended—*

19           (1) *in subsection (a)(1) by striking the last sen-*  
 20           *tence;*

21           (2) *in subsection (b)—*

22                                 (A) *in paragraph (3) by striking “and of*  
 23                                 *the prospective” and all that follows through*  
 24                                 *“administered”;*

25                                 (B) *by striking paragraph (5); and*

1                   (C) by redesignating paragraphs (6) and  
 2                   (7) as paragraphs (5) and (6), respectively;  
 3                   (3) in subsection (c) by striking “and reports”  
 4                   and all that follows through “this part”, and insert-  
 5                   ing “as may be appropriate to prevent the duplica-  
 6                   tion of efforts, and to coordinate activities, related to  
 7                   the prevention of juvenile delinquency”;  
 8                   (4) by striking subsection (i); and  
 9                   (5) by redesignating subsection (h) as subsection  
 10                  (f).

11 **SEC. 106. COORDINATING COUNCIL ON JUVENILE JUSTICE**  
 12 **AND DELINQUENCY PREVENTION.**

13           Section 206 of the *Juvenile Justice and Delinquency*  
 14 *Prevention Act of 1974* (42 U.S.C. 5616) is repealed.

15 **SEC. 107. ANNUAL REPORT.**

16           Section 207 of the *Juvenile Justice and Delinquency*  
 17 *Prevention Act of 1974* (42 U.S.C. 5617) is amended—

18                   (1) in paragraph (2)—

19                           (A) by inserting “and” after “priorities,”;  
 20                   and

21                           (B) by striking “, and recommendations of  
 22                   the Council”;

23                   (2) by striking paragraphs (4) and (5), and in-  
 24                   serting the following:

1           “(4) *An evaluation of the programs funded*  
 2           *under this title and their effectiveness in reducing the*  
 3           *incidence of juvenile delinquency, particularly violent*  
 4           *crime, committed by juveniles.”; and*

5           (3) *by redesignating such section as section 206.*

6 **SEC. 108. ALLOCATION.**

7           *Section 222 of the Juvenile Justice and Delinquency*  
 8           *Prevention Act of 1974 (42 U.S.C. 5632) is amended—*

9           (1) *in subsection (a)—*

10           (A) *in paragraph (2)—*

11           (i) *in subparagraph (A)—*

12           (I) *by striking “amount, up to*  
 13           *\$400,000,” and inserting “amount up*  
 14           *to \$400,000”;*

15           (II) *by inserting a comma after*  
 16           *“1992” the 1st place it appears;*

17           (III) *by striking “the Trust Terri-*  
 18           *tory of the Pacific Islands,”; and*

19           (IV) *by striking “amount, up to*  
 20           *\$100,000,” and inserting “amount up*  
 21           *to \$100,000”;*

22           (ii) *in subparagraph (B)—*

23           (I) *by striking “(other than part*  
 24           *D)”;*

1                   (II) by striking “or such greater  
2                   amount, up to \$600,000” and all that  
3                   follows through “section 299(a) (1) and  
4                   (3)”;

5                   (III) by striking “the Trust Terri-  
6                   tory of the Pacific Islands,”;

7                   (IV) by striking “amount, up to  
8                   \$100,000,” and inserting “amount up  
9                   to \$100,000”; and

10                  (V) by inserting a comma after  
11                  “1992”;

12                  (B) in paragraph (3) by striking “allot”  
13                  and inserting “allocate”; and

14                  (2) in subsection (b) by striking “the Trust Ter-  
15                  ritory of the Pacific Islands,”.

16 **SEC. 109. STATE PLANS.**

17                  Section 223 of the Juvenile Justice and Delinquency  
18                  Prevention Act of 1974 (42 U.S.C. 5633) is amended—

19                  (1) in subsection (a)—

20                       (A) in the 2nd sentence by striking “chal-  
21                       lenge” and all that follows through “part E”,  
22                       and inserting “, projects, and activities”;

23                       (B) in paragraph (3)—

24                               (i) by striking “, which—” and insert-  
25                               ing “that—”;

1                   (ii) in subparagraph (A)—

2                   (I) by striking “not less” and all  
3                   that follows through “33”, and insert-  
4                   ing “the attorney general of the State  
5                   or such other State official who has  
6                   primary responsibility for overseeing  
7                   the enforcement of State criminal laws,  
8                   and”;

9                   (II) by inserting “, in consulta-  
10                  tion with the attorney general of the  
11                  State or such other State official who  
12                  has primary responsibility for over-  
13                  seeing the enforcement of State crimi-  
14                  nal laws” after “State”;

15                  (III) in clause (i) by striking “or  
16                  the administration of juvenile justice”  
17                  and inserting “, the administration of  
18                  juvenile justice, or the reduction of ju-  
19                  venile delinquency”;

20                  (IV) in clause (ii) by striking “in-  
21                  clude—” and all that follows through  
22                  the semicolon at the end of subclause  
23                  (VIII), and inserting the following:

1           *“represent a multidisciplinary approach to*  
 2           *addressing juvenile delinquency and may*  
 3           *include—*

4                     *“(I) individuals who represent*  
 5                     *units of general local government, law*  
 6                     *enforcement and juvenile justice agen-*  
 7                     *cies, public agencies concerned with the*  
 8                     *prevention and treatment of juvenile*  
 9                     *delinquency and with the adjudication*  
 10                    *of juveniles, representatives of juve-*  
 11                    *niles, or nonprofit private organiza-*  
 12                    *tions, particularly such organizations*  
 13                    *that serve juveniles; and*

14                    *“(II) such other individuals as the*  
 15                    *chief executive officer considers to be*  
 16                    *appropriate; and”;* and

17                    *(V) by striking clauses (iv) and*  
 18                    *(v);*

19                    *(iii) in subparagraph (C) by striking*  
 20                    *“justice” and inserting “crime control”;*

21                    *(iv) in subparagraph (D)—*

22                    *(I) in clause (i) by inserting*  
 23                    *“and” at the end;*

24                    *(II) in clause (ii) by striking*  
 25                    *“paragraphs” and all that follows*

1                   through “part E”, and inserting  
 2                   “paragraphs (11), (12), and (13)”; and  
 3                   (III) by striking clause (iii); and  
 4                   (v) in subparagraph (E) by striking  
 5                   “title—” and all that follows through “(ii)”  
 6                   and inserting “title,”;  
 7                   (C) in paragraph (5)—  
 8                   (i) in the matter preceding subpara-  
 9                   graph (A) by striking “, other than” and  
 10                  inserting “reduced by the percentage (if  
 11                  any) specified by the State under the au-  
 12                  thority of paragraph (25) and excluding”  
 13                  after “section 222”; and  
 14                  “(ii) in subparagraph (C) by striking  
 15                  “paragraphs (12)(A), (13), and (14)” and  
 16                  inserting “paragraphs (11), (12), and  
 17                  (13)”;  
 18                  (D) by striking paragraph (6);  
 19                  (E) in paragraph (7) by inserting “, in-  
 20                  cluding in rural areas” before the semicolon at  
 21                  the end;  
 22                  (F) in paragraph (8)—  
 23                  (i) in subparagraph (A)—  
 24                  (I) by striking “for (i)” and all  
 25                  that follows through “relevant jurisdic-



tion”, and inserting “for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State”;

(II) by striking “justice” the second place it appears and inserting “crime control”; and

(III) by striking “of the jurisdiction; (ii)” and all that follows through the semicolon at the end, and inserting “of the State; and”;

(ii) by amending subparagraph (B) to read as follows:

“(B) contain—

“(i) a plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

“(ii) a plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

“(iii) a plan for providing needed mental health services to juveniles in the juvenile justice system;”; and

1                   (iii) by striking subparagraphs (C)  
2                   and (D);

3                   (G) by amending paragraph (9) to read as  
4                   follows:

5                   “(9) provide for the coordination and maximum  
6                   utilization of existing juvenile delinquency programs,  
7                   programs operated by public and private agencies  
8                   and organizations, and other related programs (such  
9                   as education, special education, recreation, health,  
10                  and welfare programs) in the State;”;

11                  (H) in paragraph (10)—

12                  (i) in subparagraph (A)—

13                         (I) by striking “, specifically”  
14                         and inserting “including”;

15                         (II) by striking clause (i); and

16                         (III) redesignating clauses (ii)  
17                         and (iii) as clauses (i) and (ii), respec-  
18                         tively;

19                         (ii) by amending subparagraph (B) to  
20                         read as follows:

21                         “(B) programs that assist in holding juve-  
22                         niles accountable for their actions, including the  
23                         use of graduated sanctions and of neighborhood  
24                         courts or panels that increase victim satisfaction

1           *and require juveniles to make restitution for the*  
 2           *damage caused by their delinquent behavior;”;*

3                     *(iii) in subparagraph (C) by striking*  
 4                     *“juvenile justice” and inserting “juvenile*  
 5                     *crime control”;*

6                     *(iv) by amending subparagraph (D) to*  
 7                     *read as follows:*

8                     *“(D) programs that provide treatment to ju-*  
 9                     *venile offenders who are victims of child abuse or*  
 10                    *neglect, and to their families, in order to reduce*  
 11                    *the likelihood that such juvenile offenders will*  
 12                    *commit subsequent violations of law;”;*

13                    *(v) in subparagraph (E)—*

14                    *(I) by redesignating clause (ii) as*  
 15                    *clause (iii); and*

16                    *(II) by striking “juveniles, pro-*  
 17                    *vided” and all that follows through*  
 18                    *“provides; and”, and inserting the fol-*  
 19                    *lowing:*

20                    *“juveniles—*

21                    *“(i) to encourage juveniles to remain*  
 22                    *in elementary and secondary schools or in*  
 23                    *alternative learning situations;*

1                   “(ii) to provide services to assist juve-  
 2                   niles in making the transition to the world  
 3                   of work and self-sufficiency; and”;

4                   (vi) by amending subparagraph (F) to  
 5                   read as follows:

6                   “(F) expanding the use of probation offi-  
 7                   cers—

8                   “(i) particularly for the purpose of permit-  
 9                   ting nonviolent juvenile offenders (including sta-  
 10                  tus offenders) to remain at home with their fam-  
 11                  ilies as an alternative to incarceration or insti-  
 12                  tutionalization; and

13                  “(ii) to ensure that juveniles follow the  
 14                  terms of their probation;”;

15                  (vii) by amending subparagraph (G)  
 16                  to read as follows:

17                  “(G) one-on-one mentoring programs that  
 18                  are designed to link at-risk juveniles and juvenile  
 19                  offenders, particularly juveniles residing in high-  
 20                  crime areas and juveniles experiencing edu-  
 21                  cational failure, with responsible adults (such as  
 22                  law enforcement officers, adults working with  
 23                  local businesses, and adults working with com-  
 24                  munity-based organizations and agencies) who  
 25                  are properly screened and trained;”;

1                   (viii) in subparagraph (H) by striking  
2                   “handicapped youth” and inserting “juve-  
3                   niles with disabilities”;

4                   (ix) by amending subparagraph (K) to  
5                   read as follows:

6                   “(K) boot camps for juvenile offenders;”;

7                   (x) by amending subparagraph (L) to  
8                   read as follows:

9                   “(L) community-based programs and serv-  
10                  ices to work with juveniles, their parents, and  
11                  other family members during and after incarcer-  
12                  ation in order to strengthen families so that such  
13                  juveniles may be retained in their homes;”;

14                  (xi) by amending subparagraph (M) to  
15                  read as follows:

16                  “(M) other activities (such as court-ap-  
17                  pointed advocates) that the State determines will  
18                  hold juveniles accountable for their acts and de-  
19                  crease juvenile involvement in delinquent activi-  
20                  ties;”;

21                  (xii) by amending subparagraph (N)  
22                  to read as follows:

23                  “(N) establishing policies and systems to in-  
24                  corporate relevant child protective services  
25                  records into juvenile justice records for purposes

1           *of establishing treatment plans for juvenile of-*  
 2           *fenders;”;*

3                     *(xiii) in subparagraph (O)—*

4                             *(I) in striking “cultural” and in-*  
 5                             *serting “other”; and*

6                             *(II) by striking the period at the*  
 7                             *end and inserting a semicolon; and*

8                             *(xiv) by adding at the end the follow-*  
 9                             *ing:*

10                    *“(P) a system of records relating to any ad-*  
 11                    *judication of juveniles less than 18 years of age*  
 12                    *who are adjudicated delinquent for conduct that*  
 13                    *would be a violent crime if committed by an*  
 14                    *adult, that is—*

15                             *“(i) equivalent to the records that*  
 16                             *would be kept of adults arrested for such*  
 17                             *conduct, including fingerprints and photo-*  
 18                             *graphs;*

19                             *“(ii) submitted to the Federal Bureau*  
 20                             *of Investigation in the same manner as*  
 21                             *adult records are so submitted;*

22                             *“(iii) retained for a period of time that*  
 23                             *is equal to the period of time records are re-*  
 24                             *tained for adults; and*

1                   “(iv) available on an expedited basis to  
 2                   law enforcement agencies, the courts, and  
 3                   school officials (and such school officials  
 4                   shall be subject to the same standards and  
 5                   penalties that law enforcement and juvenile  
 6                   justice system employees are subject to  
 7                   under Federal and State law, for handling  
 8                   and disclosing such information);

9                   “(Q) programs that utilize multidisci-  
 10                  plinary interagency case management and infor-  
 11                  mation sharing, that enable the juvenile justice  
 12                  and law enforcement agencies, schools, and social  
 13                  service agencies to make more informed decisions  
 14                  regarding early identification, control, super-  
 15                  vision, and treatment of juveniles who repeatedly  
 16                  commit violent or serious delinquent acts; and

17                  “(R) programs designed to prevent and re-  
 18                  duce hate crimes committed by juveniles.”;

19                  (I) by amending paragraph (12) to read as  
 20                  follows:

21                  “(12) shall, in accordance with rules issued by  
 22                  the Administrator, provide that—

23                  “(A) juveniles who are charged with or who  
 24                  have committed an offense that would not be  
 25                  criminal if committed by an adult, excluding—

1           “(i) juveniles who are charged with or  
 2           who have committed a violation of section  
 3           922(x)(2) of title 18, United States Code, or  
 4           of a similar State law;

5           “(ii) juveniles who are charged with or  
 6           who have committed a violation of a valid  
 7           court order; and

8           “(iii) juveniles who are held in accord-  
 9           ance with the Interstate Compact on Juve-  
 10          niles as enacted by the State;

11          shall not be placed in secure detention facilities  
 12          or secure correctional facilities; and

13          “(B) juveniles—

14               “(i) who are not charged with any of-  
 15               fense; and

16               “(ii) who are—

17                       “(I) aliens; or

18                       “(II) alleged to be dependent, ne-  
 19                       glected, or abused;

20          shall not be placed in secure detention facilities  
 21          or secure correctional facilities;”;

22          (J) by amending paragraph (13) to read as  
 23          follows:

24          “(13) provide that—



1           “(A) juveniles alleged to be or found to be  
 2           delinquent, and juveniles within the purview of  
 3           paragraph (11), will not be detained or confined  
 4           in any institution in which they have regular  
 5           contact, or unsupervised incidental contact, with  
 6           adults incarcerated because such adults have  
 7           been convicted of a crime or are awaiting trial  
 8           on criminal charges; and

9           “(B) there is in effect in the State a policy  
 10          that requires individuals who work with both  
 11          such juveniles and such adults in co-located fa-  
 12          cilities have been trained and certified to work  
 13          with juveniles;”;

14          (K) by amending paragraph (14) to read as  
 15          follows:

16          “(14) provide that no juvenile will be detained or  
 17          confined in any jail or lockup for adults except—

18               “(A) juveniles who are accused of nonstatus  
 19               offenses and who are detained in such jail or  
 20               lockup for a period not to exceed 6 hours—

21                       “(i) for processing or release;

22                       “(ii) while awaiting transfer to a juve-  
 23                       nile facility; or

24                       “(iii) in which period such juveniles  
 25                       make a court appearance;

1           “(B) juveniles who are accused of nonstatus  
 2           offenses, who are awaiting an initial court ap-  
 3           pearance that will occur within 48 hours after  
 4           being taken into custody (excluding Saturdays,  
 5           Sundays, and legal holidays), and who are de-  
 6           tained or confined in a jail or lockup—

7           “(i) in which—

8                   “(I) such juveniles do not have  
 9                   regular contact; or unsupervised inci-  
 10                  dental contact, with adults incarcer-  
 11                  ated because such adults have been con-  
 12                  victed of a crime or are awaiting trial  
 13                  on criminal charges; and

14                  “(II) there is in effect in the State  
 15                  a policy that requires individuals who  
 16                  work with both such juveniles and such  
 17                  adults in co-located facilities have been  
 18                  trained and certified to work with ju-  
 19                  veniles; and

20           “(ii) that—

21                   “(I) is located outside a metro-  
 22                   politan statistical area (as defined by  
 23                   the Office of Management and Budget);

24                   “(II) has no existing acceptable  
 25                  alternative placement available;

1           “(III) is located where conditions  
2           of distance to be traveled or the lack of  
3           highway, road, or transportation do  
4           not allow for court appearances within  
5           48 hours (excluding Saturdays, Sun-  
6           days, and legal holidays) so that a  
7           brief (not to exceed an additional 48  
8           hours) delay is excusable; or

9           “(IV) is located where conditions  
10          of safety exist (such as severe adverse,  
11          life-threatening weather conditions that  
12          do not allow for reasonably safe trav-  
13          el), in which case the time for an ap-  
14          pearance may be delayed until 24  
15          hours after the time that such condi-  
16          tions allow for reasonable safe travel;

17          “(C) juveniles who are accused of nonstatus  
18          offenses and who are detained or confined in a  
19          jail or lockup that satisfies the requirements of  
20          subparagraph (B)(i) if—

21               “(i) such jail or lockup—

22               “(I) is located outside a metro-  
23               politan statistical area (as defined by  
24               the Office of Management and Budget);  
25               and

1                   “(II) has no existing acceptable  
2                   alternative placement available;

3                   “(ii) a parent or other legal guardian  
4                   (or guardian ad litem) of the juvenile in-  
5                   volved consents to detaining or confining  
6                   such juvenile in accordance with this sub-  
7                   paragraph and has the right to revoke such  
8                   consent at any time;

9                   “(iii) the juvenile has counsel, and the  
10                  counsel representing such juvenile has an  
11                  opportunity to present the juvenile’s posi-  
12                  tion regarding the detention or confinement  
13                  involved to the court before the court ap-  
14                  proves such detention or confinement; and

15                  “(iv) detaining or confining such juve-  
16                  nile in accordance with this subparagraph  
17                  is—

18                         “(I) approved in advance by a  
19                         court with competent jurisdiction that  
20                         has determined that such placement is  
21                         in the best interest of such juvenile;

22                         “(II) required to be reviewed peri-  
23                         odically, at intervals of not more than  
24                         5 days (excluding Saturdays, Sundays,  
25                         and legal holidays), by such court for

1                   *the duration of detention or confine-*  
 2                   *ment; and*

3                   *“(III) for a period preceding the*  
 4                   *sentencing (if any) of such juvenile;”;*

5                   *(L) in paragraph (15)—*

6                   *(i) by striking “paragraph (12)(A),*  
 7                   *paragraph (13), and paragraph (14)” and*  
 8                   *inserting “paragraphs (11), (12), and*  
 9                   *(13)”;* *and*

10                  *(ii) by striking “paragraph (12)(A)*  
 11                  *and paragraph (13)” and inserting “para-*  
 12                  *graphs (11) and (12)”;*

13                  *(M) in paragraph (16) by striking “men-*  
 14                  *tally, emotionally, or physically handicapping*  
 15                  *conditions” and inserting “disability”;*

16                  *(N) by amending paragraph (19) to read as*  
 17                  *follows:*

18                  *“(19) provide assurances that—*

19                    *“(A) any assistance provided under this Act*  
 20                    *will not cause the displacement (including a*  
 21                    *partial displacement, such as a reduction in the*  
 22                    *hours of nonovertime work, wages, or employ-*  
 23                    *ment benefits) of any currently employed em-*  
 24                    *ployee;*

1           “(B) activities assisted under this Act will  
 2           not impair an existing collective bargaining re-  
 3           lationship, contract for services, or collective bar-  
 4           gaining agreement; and

5           “(C) no such activity that would be incon-  
 6           sistent with the terms of a collective bargaining  
 7           agreement shall be undertaken without the writ-  
 8           ten concurrence of the labor organization in-  
 9           volved;”;

10           (O) by amending paragraph (23) to read as  
 11           follows:

12           “(23) address juvenile delinquency prevention ef-  
 13           forts and system improvement efforts designed to re-  
 14           duce, without establishing or requiring numerical  
 15           standards or quotas, the disproportionate number of  
 16           juvenile members of minority groups, who come into  
 17           contact with the juvenile justice system;”;

18           (P) by amending paragraph (24) to read as  
 19           follows:

20           “(24) provide that if a juvenile is taken into cus-  
 21           tody for violating a valid court order issued for com-  
 22           mitting a status offense—

23           “(A) an appropriate public agency shall be  
 24           promptly notified that such juvenile is held in  
 25           custody for violating such order;

1           “(B) not later than 24 hours during which  
 2           such juvenile is so held, an authorized represent-  
 3           ative of such agency shall interview, in person,  
 4           such juvenile; and

5           “(C) not later than 48 hours during which  
 6           such juvenile is so held—

7                   “(i) such representative shall submit  
 8                   an assessment to the court that issued such  
 9                   order, regarding the immediate needs of  
 10                  such juvenile; and

11                   “(ii) such court shall conduct a hear-  
 12                  ing to determine—

13                           “(I) whether there is reasonable  
 14                           cause to believe that such juvenile vio-  
 15                           lated such order; and

16                           “(II) the appropriate placement of  
 17                           such juvenile pending disposition of the  
 18                           violation alleged;”;

19           (Q) in paragraph (25) by striking the pe-  
 20           riod at the end and inserting a semicolon;

21           (R) by redesignating paragraphs (7)  
 22           through (25) as paragraphs (6) through (24), re-  
 23           spectively; and

24           (S) by adding at the end the following:

1           “(25) specify a percentage (if any), not to exceed  
 2           5 percent, of funds received by the State under section  
 3           222 (other than funds made available to the state ad-  
 4           visory group under section 222(d)) that the State will  
 5           reserve for expenditure by the State to provide incen-  
 6           tive grants to units of general local government that  
 7           reduce the caseload of probation officers within such  
 8           units; and

9           “(26) provide that the State, to the maximum  
 10          extent practicable, will implement a system to ensure  
 11          that if a juvenile is before a court in the juvenile jus-  
 12          tice system, public child welfare records (including  
 13          child protective services records) relating to such juve-  
 14          nile that are on file in the geographical area under  
 15          the jurisdiction of such court will be made known to  
 16          such court.”; and

17          (2) by amending subsection (c) to read as fol-  
 18          lows:

19          “(c) If a State fails to comply with any of the applica-  
 20          ble requirements of paragraphs (11), (12), (13), and (22)  
 21          of subsection (a) in any fiscal year beginning after Septem-  
 22          ber 30, 1998, then the amount allocated to such State for  
 23          the subsequent fiscal year shall be reduced by not to exceed  
 24          12.5 percent for each such paragraph with respect to which



1 *the failure occurs, unless the Administrator determines that*  
 2 *the State—*

3           “(1) *has achieved substantial compliance with*  
 4 *such applicable requirements with respect to which*  
 5 *the State was not in compliance; and*

6           “(2) *has made, through appropriate executive or*  
 7 *legislative action, an unequivocal commitment to*  
 8 *achieving full compliance with such applicable re-*  
 9 *quirements within a reasonable time.”; and*

10           (3) *in subsection (d)—*

11                   (A) *by striking “allotment” and inserting*  
 12 *“allocation”; and*

13                   (B) *by striking “subsection (a) (12)(A),*  
 14 *(13), (14) and (23)” each place it appears and*  
 15 *inserting “paragraphs (11), (12), (13), and (22)*  
 16 *of subsection (a)”.*

17 **SEC. 110. JUVENILE DELINQUENCY PREVENTION BLOCK**  
 18 **GRANT PROGRAM.**

19           *Title II of the Juvenile Justice and Delinquency Pre-*  
 20 *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended—*

21                   (1) *by striking parts C, D, E, F, G, and H;*

22                   (2) *by striking the 1st part I;*

23                   (3) *by redesignating the 2nd part I as part F;*

24           *and*

25                   (4) *by inserting after part B the following:*

1 **“PART C—JUVENILE DELINQUENCY PREVENTION**  
 2 **BLOCK GRANT PROGRAM**

3 **“SEC. 241. AUTHORITY TO MAKE GRANTS.**

4 *“The Administrator may make grants to eligible*  
 5 *States, from funds allocated under section 242, for the pur-*  
 6 *pose of providing financial assistance to eligible entities to*  
 7 *carry out projects designed to prevent juvenile delinquency,*  
 8 *including—*

9 *“(1) projects that assist in holding juveniles ac-*  
 10 *countable for their actions, including the use of neigh-*  
 11 *borhood courts or panels that increase victim satisfac-*  
 12 *tion and require juveniles to make restitution, or per-*  
 13 *form community service, for the damage caused by*  
 14 *their delinquent acts;*

15 *“(2) projects that provide treatment to juvenile*  
 16 *offenders who are victims of child abuse or neglect,*  
 17 *and to their families, in order to reduce the likelihood*  
 18 *that such juvenile offenders will commit subsequent*  
 19 *violations of law;*

20 *“(3) educational projects or supportive services*  
 21 *for delinquent or other juveniles—*

22 *“(A) to encourage juveniles to remain in el-*  
 23 *ementary and secondary schools or in alternative*  
 24 *learning situations in educational settings;*

1           “(B) to provide services to assist juveniles  
2           in making the transition to the world of work  
3           and self-sufficiency;

4           “(C) to assist in identifying learning dif-  
5           ficulties (including learning disabilities);

6           “(D) to prevent unwarranted and arbitrary  
7           suspensions and expulsions;

8           “(E) to encourage new approaches and tech-  
9           niques with respect to the prevention of school vi-  
10          olence and vandalism;

11          “(F) which assist law enforcement personnel  
12          and juvenile justice personnel to more effectively  
13          recognize and provide for learning-disabled and  
14          other handicapped juveniles; or

15          “(G) which develop locally coordinated poli-  
16          cies and programs among education, juvenile  
17          justice, and social service agencies;

18          “(4) projects which expand the use of probation  
19          officers—

20               “(A) particularly for the purpose of permit-  
21               ting nonviolent juvenile offenders (including sta-  
22               tus offenders) to remain at home with their fam-  
23               ilies as an alternative to incarceration or insti-  
24               tutionalization; and

1           “(B) to ensure that juveniles follow the  
2           terms of their probation;

3           “(5) one-on-one mentoring projects that are de-  
4           signed to link at-risk juveniles and juvenile offenders  
5           who did not commit serious crime, particularly juve-  
6           niles residing in high-crime areas and juveniles expe-  
7           riencing educational failure, with responsible adults  
8           (such as law enforcement officers, adults working with  
9           local businesses, and adults working for community-  
10          based organizations and agencies) who are properly  
11          screened and trained;

12          “(6) community-based projects and services (in-  
13          cluding literacy and social service programs) which  
14          work with juvenile offenders, including those from  
15          families with limited English-speaking proficiency,  
16          their parents, their siblings, and other family mem-  
17          bers during and after incarceration of the juvenile of-  
18          fenders, in order to strengthen families, to allow juve-  
19          nile offenders to be retained in their homes, and to  
20          prevent the involvement of other juvenile family mem-  
21          bers in delinquent activities;

22          “(7) projects designed to provide for the treat-  
23          ment of juveniles for dependence on or abuse of alco-  
24          hol, drugs, or other harmful substances;

1           “(8) projects which leverage funds to provide  
2           scholarships for postsecondary education and training  
3           for low-income juveniles who reside in neighborhoods  
4           with high rates of poverty, violence, and drug-related  
5           crimes;

6           “(9) projects which provide for an initial intake  
7           screening of each juvenile taken into custody—

8                   “(A) to determine the likelihood that such  
9                   juvenile will commit a subsequent offense; and

10                   “(B) to provide appropriate interventions to  
11                   prevent such juvenile from committing subse-  
12                   quent offenses;

13           “(10) projects (including school- or community-  
14           based projects) that are designed to prevent, and re-  
15           duce the rate of, the participation of juveniles in  
16           gangs that commit crimes (particularly violent  
17           crimes), that unlawfully use firearms and other weap-  
18           ons, or that unlawfully traffic in drugs and that in-  
19           volve, to the extent practicable, families and other  
20           community members (including law enforcement per-  
21           sonnel and members of the business community) in  
22           the activities conducted under such projects;

23           “(11) comprehensive juvenile justice and delin-  
24           quency prevention projects that meet the needs of ju-  
25           veniles through the collaboration of the many local

1      *service systems juveniles encounter, including schools,*  
2      *courts, law enforcement agencies, child protection*  
3      *agencies, mental health agencies, welfare services,*  
4      *health care agencies, and private nonprofit agencies*  
5      *offering services to juveniles;*

6            *“(12) to develop, implement, and support, in*  
7      *conjunction with public and private agencies, organi-*  
8      *zations, and businesses, projects for the employment of*  
9      *juveniles and referral to job training programs (in-*  
10     *cluding referral to Federal job training programs);*

11           *“(13) delinquency prevention activities which in-*  
12     *volve youth clubs, sports, recreation and parks, peer*  
13     *counseling and teaching, the arts, leadership develop-*  
14     *ment, community service, volunteer service, before-*  
15     *and after-school programs, violence prevention activi-*  
16     *ties, mediation skills training, camping, environ-*  
17     *mental education, ethnic or cultural enrichment, tu-*  
18     *toring, and academic enrichment;*

19           *“(14) to establish policies and systems to incor-*  
20     *porate relevant child protective services records into*  
21     *juvenile justice records for purposes of establishing*  
22     *treatment plans for juvenile offenders;*

23           *“(15) family strengthening activities, such as*  
24     *mutual support groups for parents and their children;*

1           “(16) programs that encourage social com-  
 2           petencies, problem-solving skills, and communication  
 3           skills, youth leadership, and civic involvement;

4           “(17) programs that focus on the needs of young  
 5           girls at-risk of delinquency or status offenses; and

6           “(18) other activities that are likely to prevent  
 7           juvenile delinquency.

8   **“SEC. 242. ALLOCATION.**

9           *“Funds appropriated to carry out this part shall be*  
 10          *allocated among eligible States as follows:*

11           “(1) Fifty percent of such amount shall be allo-  
 12           cated proportionately based on the population that is  
 13           less than 18 years of age in the eligible States.

14           “(2) Fifty percent of such amount shall be allo-  
 15           cated proportionately based on the annual average  
 16           number of arrests for serious crimes committed in the  
 17           eligible States by juveniles during the then most re-  
 18           cently completed period of 3 consecutive calendar  
 19           years for which sufficient information is available to  
 20           the Administrator.

21   **“SEC. 243. ELIGIBILITY OF STATES.**

22           “(a) *APPLICATION.*—To be eligible to receive a grant  
 23           under section 241, a State shall submit to the Adminis-  
 24           trator an application that contains the following:

25           “(1) An assurance that the State will use—

1                   “(A) not more than 5 percent of such grant,  
2                   in the aggregate, for—

3                   “(i) the costs incurred by the State to  
4                   carry out this part; and

5                   “(ii) to evaluate, and provide technical  
6                   assistance relating to, projects and activities  
7                   carried out with funds provided under this  
8                   part; and

9                   “(B) the remainder of such grant to make  
10                  grants under section 244.

11                  “(2) An assurance that, and a detailed descrip-  
12                  tion of how, such grant will support, and not sup-  
13                  plant State and local efforts to prevent juvenile delin-  
14                  quency.

15                  “(3) An assurance that such application was  
16                  prepared after consultation with and participation by  
17                  community-based organizations, and organizations in  
18                  the local juvenile justice system, that carry out pro-  
19                  grams, projects, or activities to prevent juvenile delin-  
20                  quency.

21                  “(4) An assurance that each eligible entity de-  
22                  scribed in section 244(a) that receives an initial  
23                  grant under section 244 to carry out a project or ac-  
24                  tivity shall also receive an assurance from the State  
25                  that such entity will receive from the State, for the



1        *subsequent fiscal year to carry out such project or ac-*  
 2        *tivity, a grant under such section in an amount that*  
 3        *is proportional, based on such initial grant and on*  
 4        *the amount of the grant received under section 241 by*  
 5        *the State for such subsequent fiscal year, but that does*  
 6        *not exceed the amount specified for such subsequent*  
 7        *fiscal year in such application as approved by the*  
 8        *State.*

9                *“(5) Such other information and assurances as*  
 10        *the Administrator may reasonably require by rule.*

11        *“(b) APPROVAL OF APPLICATIONS.—*

12                *“(1) APPROVAL REQUIRED.—Subject to para-*  
 13        *graph (2), the Administrator shall approve an appli-*  
 14        *cation, and amendments to such application submit-*  
 15        *ted in subsequent fiscal years, that satisfy the require-*  
 16        *ments of subsection (a).*

17                *“(2) LIMITATION.—The Administrator may not*  
 18        *approve such application (including amendments to*  
 19        *such application) for a fiscal year unless—*

20                *“(A)(i) the State submitted a plan under*  
 21        *section 223 for such fiscal year; and*

22                *“(ii) such plan is approved by the Adminis-*  
 23        *trator for such fiscal year; or*

24                *“(B) the Administrator waives the applica-*  
 25        *tion of subparagraph (A) to such State for such*

1           *fiscal year, after finding good cause for such a*  
 2           *waiver.*

3   **“SEC. 244. GRANTS FOR LOCAL PROJECTS.**

4           “(a) *SELECTION FROM AMONG APPLICATIONS.—(1)*  
 5   *Using a grant received under section 241, a State may*  
 6   *make grants to eligible entities whose applications are re-*  
 7   *ceived by the State in accordance with subsection (b) to*  
 8   *carry out projects and activities described in section 241.*

9           “(2) *For purposes of making such grants, the State*  
 10   *shall give special consideration to eligible entities that—*

11           “(A) *propose to carry out such projects in geo-*  
 12    *graphical areas in which there is—*

13           “(i) *a disproportionately high level of seri-*  
 14    *ous crime committed by juveniles; or*

15           “(ii) *a recent rapid increase in the number*  
 16    *of nonstatus offenses committed by juveniles;*

17           “(B)(i) *agreed to carry out such projects or ac-*  
 18    *tivities that are multidisciplinary and involve 2 or*  
 19    *more eligible entities; or*

20           “(ii) *represent communities that have a com-*  
 21    *prehensive plan designed to identify at-risk juveniles*  
 22    *and to prevent or reduce the rate of juvenile delin-*  
 23    *quency, and that involve other entities operated by in-*  
 24    *dividuals who have a demonstrated history of involve-*

1        *ment in activities designed to prevent juvenile delin-*  
 2        *quency; and*

3                *“(C) the amount of resources (in cash or in kind)*  
 4        *such entities will provide to carry out such projects*  
 5        *and activities.*

6        *“(b) RECEIPT OF APPLICATIONS.—(1) Subject to para-*  
 7        *graph (2), a unit of general local government shall submit*  
 8        *to the State simultaneously all applications that are—*

9                *“(A) timely received by such unit from eligible*  
 10        *entities; and*

11                *“(B) determined by such unit to be consistent*  
 12        *with a current plan formulated by such unit for the*  
 13        *purpose of preventing, and reducing the rate of, juve-*  
 14        *nile delinquency in the geographical area under the*  
 15        *jurisdiction of such unit.*

16        *“(2) If an application submitted to such unit by an*  
 17        *eligible entity satisfies the requirements specified in sub-*  
 18        *paragraphs (A) and (B) of paragraph (1), such entity may*  
 19        *submit such application directly to the State.*

20        **“SEC. 245. ELIGIBILITY OF ENTITIES.**

21                *“(a) ELIGIBILITY.—Subject to subsections (b) and ex-*  
 22        *cept as provided in subsection (c), to be eligible to receive*  
 23        *a grant under section 244, a community-based organiza-*  
 24        *tion, local juvenile justice system officials (including pros-*  
 25        *ecutors, police officers, judges, probation officers, parole offi-*

1 cers, and public defenders), local education authority (as  
 2 defined in section 14101 of the Elementary and Secondary  
 3 Education Act of 1965 and including a school within such  
 4 authority), nonprofit private organization, unit of general  
 5 local government, or social service provider, and or other  
 6 entity with a demonstrated history of involvement in the  
 7 prevention of juvenile delinquency, shall submit to a unit  
 8 of general local government an application that contains  
 9 the following:

10           “(1) An assurance that such applicant will use  
 11           such grant, and each such grant received for the sub-  
 12           sequent fiscal year, to carry out throughout a 2-year  
 13           period a project or activity described in reasonable  
 14           detail, and of a kind described in one or more of  
 15           paragraphs (1) through (14) of section 241 as speci-  
 16           fied in, such application.

17           “(2) A statement of the particular goals such  
 18           project or activity is designed to achieve, and the  
 19           methods such entity will use to achieve, and assess the  
 20           achievement of, each of such goals.

21           “(3) A statement identifying the research (if  
 22           any) such entity relied on in preparing such applica-  
 23           tion.

1       “(b) *REVIEW AND SUBMISSION OF APPLICATIONS.*—

2       *Except as provided in subsection (c), an entity shall not*  
 3       *be eligible to receive a grant under section 244 unless—*

4               “(1) *such entity submits to a unit of general*  
 5       *local government an application that—*

6                       “(A) *satisfies the requirements specified in*  
 7       *subsection (a); and*

8                       “(B) *describes a project or activity to be*  
 9       *carried out in the geographical area under the*  
 10       *jurisdiction of such unit; and*

11               “(2) *such unit determines that such project or*  
 12       *activity is consistent with a current plan formulated*  
 13       *by such unit for the purpose of preventing, and reduc-*  
 14       *ing the rate of, juvenile delinquency in the geographi-*  
 15       *cal area under the jurisdiction of such unit.*

16       “(c) *LIMITATION.*—*If an entity that receives a grant*  
 17       *under section 244 to carry out a project or activity for a*  
 18       *2-year period, and receives technical assistance from the*  
 19       *State or the Administrator after requesting such technical*  
 20       *assistance (if any), fails to demonstrate, before the expira-*  
 21       *tion of such 2-year period, that such project or such activity*  
 22       *has achieved substantial success in achieving the goals spec-*  
 23       *ified in the application submitted by such entity to receive*  
 24       *such grants, then such entity shall not be eligible to receive*

1 *any subsequent grant under such section to continue to*  
 2 *carry out such project or activity.”.*

3 **SEC. 111. RESEARCH; EVALUATION; TECHNICAL ASSIST-**  
 4 **ANCE; TRAINING.**

5 *Title II of the Juvenile Justice and Delinquency Pre-*  
 6 *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended*  
 7 *by inserting after part C, as added by section 110, the fol-*  
 8 *lowing:*

9 **“PART D—RESEARCH; EVALUATION; TECHNICAL**  
 10 **ASSISTANCE; TRAINING**

11 **“SEC. 251. RESEARCH AND EVALUATION; STATISTICAL**  
 12 **ANALYSES; INFORMATION DISSEMINATION**

13 *“(a) RESEARCH AND EVALUATION.—(1) The Adminis-*  
 14 *trator may—*

15 *“(A) plan and identify, after consultation with*  
 16 *the Director of the National Institute of Justice, the*  
 17 *purposes and goals of all agreements carried out with*  
 18 *funds provided under this subsection; and*

19 *“(B) make agreements with the National Insti-*  
 20 *tute of Justice or, subject to the approval of the As-*  
 21 *stant Attorney General for the Office of Justice Pro-*  
 22 *grams, with another Federal agency authorized by*  
 23 *law to conduct research or evaluation in juvenile jus-*  
 24 *tice matters, for the purpose of providing research*  
 25 *and evaluation relating to—*

1           “(i) the prevention, reduction, and control  
2           of juvenile delinquency and serious crime com-  
3           mitted by juveniles;

4           “(ii) the link between juvenile delinquency  
5           and the incarceration of members of the families  
6           of juveniles;

7           “(iii) successful efforts to prevent first-time  
8           minor offenders from committing subsequent in-  
9           volvement in serious crime;

10          “(iv) successful efforts to prevent recidivism;

11          “(v) the juvenile justice system;

12          “(vi) juvenile violence; and

13          “(vii) other purposes consistent with the  
14          purposes of this title and title I.

15          “(2) The Administrator shall ensure that an equitable  
16          amount of funds available to carry out paragraph (1)(B)  
17          is used for research and evaluation relating to the preven-  
18          tion of juvenile delinquency.

19          “(b) STATISTICAL ANALYSES.—The Administrator  
20          may—

21                 “(1) plan and identify, after consultation with  
22                 the Director of the Bureau of Justice Statistics, the  
23                 purposes and goals of all agreements carried out with  
24                 funds provided under this subsection; and

1           “(2) make agreements with the Bureau of Justice  
 2       Statistics, or subject to the approval of the Assistant  
 3       Attorney General for the Office of Justice Programs,  
 4       with another Federal agency authorized by law to un-  
 5       dertake statistical work in juvenile justice matters, for  
 6       the purpose of providing for the collection, analysis,  
 7       and dissemination of statistical data and information  
 8       relating to juvenile delinquency and serious crimes  
 9       committed by juveniles, to the juvenile justice system,  
 10      to juvenile violence, and to other purposes consist  
 11      with the purposes of this title and title I.

12       “(c) *COMPETITIVE SELECTION PROCESS.*—The Ad-  
 13      ministrators shall use a competitive process, established by  
 14      rule by the Administrator, to carry out subsections (a) and  
 15      (b).

16       “(d) *IMPLEMENTATION OF AGREEMENTS.*—A Federal  
 17      agency that makes an agreement under subsections  
 18      (a)(1)(B) and (b)(2) with the Administrator may carry out  
 19      such agreement directly or by making grants to or contracts  
 20      with public and private agencies, institutions, and organi-  
 21      zations.

22       “(e) *INFORMATION DISSEMINATION.*—The Adminis-  
 23      trator may—

24           “(1) review reports and data relating to the juve-  
 25      nile justice system in the United States and in for-



1      *foreign nations (as appropriate), collect data and infor-*  
 2      *mation from studies and research into all aspects of*  
 3      *juvenile delinquency (including the causes, preven-*  
 4      *tion, and treatment of juvenile delinquency) and seri-*  
 5      *ous crimes committed by juveniles;*

6            *“(2) establish and operate, directly or by con-*  
 7      *tract, a clearinghouse and information center for the*  
 8      *preparation, publication, and dissemination of infor-*  
 9      *mation relating to juvenile delinquency, including*  
 10     *State and local prevention and treatment programs,*  
 11     *plans, resources, and training and technical assist-*  
 12     *ance programs; and*

13           *“(3) make grants and contracts with public and*  
 14     *private agencies, institutions, and organizations, for*  
 15     *the purpose of disseminating information to rep-*  
 16     *resentatives and personnel of public and private agen-*  
 17     *cies, including practitioners in juvenile justice, law*  
 18     *enforcement, the courts, corrections, schools, and relat-*  
 19     *ed services, in the establishment, implementation, and*  
 20     *operation of projects and activities for which finan-*  
 21     *cial assistance is provided under this title.*

22    **“SEC. 252. TRAINING AND TECHNICAL ASSISTANCE.**

23           *“(a) TRAINING.—The Administrator may—*

24           *“(1) develop and carry out projects for the pur-*  
 25     *pose of training representatives and personnel of pub-*

1        *lic and private agencies, including practitioners in*  
 2        *juvenile justice, law enforcement, courts, corrections,*  
 3        *schools, and related services, to carry out the purposes*  
 4        *specified in section 102; and*

5                *“(2) make grants to and contracts with public*  
 6        *and private agencies, institutions, and organizations*  
 7        *for the purpose of training representatives and per-*  
 8        *sonnel of public and private agencies, including prac-*  
 9        *titioners in juvenile justice, law enforcement, courts,*  
 10        *corrections, schools, and related services, to carry out*  
 11        *the purposes specified in section 102.*

12        *“(b) TECHNICAL ASSISTANCE.—The Administrator*  
 13        *may—*

14                *“(1) develop and implement projects for the pur-*  
 15        *pose of providing technical assistance to representa-*  
 16        *tives and personnel of public and private agencies*  
 17        *and organizations, including practitioners in juvenile*  
 18        *justice, law enforcement, courts, corrections, schools,*  
 19        *and related services, in the establishment, implemen-*  
 20        *tation, and operation of programs, projects, and ac-*  
 21        *tivities for which financial assistance is provided*  
 22        *under this title; and*

23                *“(2) make grants to and contracts with public*  
 24        *and private agencies, institutions, and organizations,*  
 25        *for the purpose of providing technical assistance to*

1        *representatives and personnel of public and private*  
 2        *agencies, including practitioners in juvenile justice,*  
 3        *law enforcement, courts, corrections, schools, and re-*  
 4        *lated services, in the establishment, implementation,*  
 5        *and operation of programs, projects, and activities for*  
 6        *which financial assistance is provided under this*  
 7        *title.”.*

8        **SEC. 112. DEMONSTRATION PROJECTS.**

9        *Title II of the Juvenile Justice and Delinquency Pre-*  
 10        *vention Act of 1974 (42 U.S.C. 5611 et seq.) is amended*  
 11        *by inserting after part D, as added by section 111, the fol-*  
 12        *lowing:*

13        **“PART E—DEVELOPING, TESTING, AND DEM-**  
 14        **ONSTRATING PROMISING NEW INITIATIVES**  
 15        **AND PROGRAMS**

16        **“SEC. 261. GRANTS AND PROJECTS.**

17        *“(a) AUTHORITY TO MAKE GRANTS.—The Adminis-*  
 18        *trator may make grants to and contracts with States, units*  
 19        *of general local government, Indian tribal governments,*  
 20        *public and private agencies, organizations, and individ-*  
 21        *uals, or combinations thereof, to carry out projects for the*  
 22        *development, testing, and demonstration of promising ini-*  
 23        *tiatives and programs for the prevention, control, or reduc-*  
 24        *tion of juvenile delinquency. The Administrator shall ensure*  
 25        *that, to the extent reasonable and practicable, such grants*

1 *are made to achieve an equitable geographical distribution*  
 2 *of such projects throughout the United States.*

3 “(b) *USE OF GRANTS.*—*A grant made under sub-*  
 4 *section (a) may be used to pay all or part of the cost of*  
 5 *the project for which such grant is made.*

6 **“SEC. 262. GRANTS FOR TECHNICAL ASSISTANCE.**

7 “*The Administrator may make grants to and contracts*  
 8 *with public and private agencies, organizations, and indi-*  
 9 *viduals to provide technical assistance to States, units of*  
 10 *general local government, Indian tribal governments, local*  
 11 *private entities or agencies, or any combination thereof, to*  
 12 *carry out the projects for which grants are made under sec-*  
 13 *tion 261.*

14 **“SEC. 263. ELIGIBILITY.**

15 “*To be eligible to receive a grant made under this part,*  
 16 *a public or private agency, Indian tribal government, orga-*  
 17 *nization, institution, individual, or combination thereof*  
 18 *shall submit an application to the Administrator at such*  
 19 *time, in such form, and containing such information as the*  
 20 *Administrator may reasonable require by rule.*

21 **“SEC. 264. REPORTS.**

22 “*Recipients of grants made under this part shall sub-*  
 23 *mit to the Administrator such reports as may be reasonably*  
 24 *requested by the Administrator to describe progress achieved*  
 25 *in carrying the projects for which such grants are made.”.*

1 **SEC. 113. AUTHORIZATION OF APPROPRIATIONS.**

2 *Section 299 of the Juvenile Justice and Delinquency*  
 3 *Prevention Act of 1974 (42 U.S.C. 5671) is amended—*

4 *(1) by striking subsection (e), and*

5 *(2) by striking subsections (a), (b), and (c), and*  
 6 *inserting the following:*

7 *“(a) AUTHORIZATION OF APPROPRIATIONS FOR TITLE*  
 8 *II (EXCLUDING PARTS C AND E).—(1) There are author-*  
 9 *ized to be appropriated to carry out this title such sums*  
 10 *as may be appropriate for fiscal years 1999, 2000, 2001,*  
 11 *and 2002.*

12 *“(2) Of such sums as are appropriated for a fiscal year*  
 13 *to carry out this title (other than parts C and E)—*

14 *“(A) not more than 5 percent shall be available*  
 15 *to carry out part A;*

16 *“(B) not less than 80 percent shall be available*  
 17 *to carry out part B; and*

18 *“(C) not more than 15 percent shall be available*  
 19 *to carry out part D.*

20 *“(b) AUTHORIZATION OF APPROPRIATIONS FOR PART*  
 21 *C.—There are authorized to be appropriated to carry out*  
 22 *part C such sums as may be necessary for fiscal years 1999,*  
 23 *2000, 2001, and 2002.*

24 *“(c) AUTHORIZATION OF APPROPRIATIONS FOR PART*  
 25 *E.—There are authorized to be appropriated to carry out*  
 26 *part E, and authorized to remain available until expended,*

1 *such sums as may be necessary for fiscal years 1999, 2000,*  
 2 *2001, and 2002.”.*

3 **SEC. 114. ADMINISTRATIVE AUTHORITY.**

4 *Section 299A of the Juvenile Justice and Delinquency*  
 5 *Prevention Act of 1974 (42 U.S.C. 5672) is amended—*

6 *(1) in subsection (d) by striking “as are consist-*  
 7 *ent with the purpose of this Act” and inserting “only*  
 8 *to the extent necessary to ensure that there is compli-*  
 9 *ance with the specific requirements of this title or to*  
 10 *respond to requests for clarification and guidance re-*  
 11 *lating to such compliance”; and*

12 *(2) by adding at the end the following:*

13 *“(e) If a State requires by law compliance with the*  
 14 *requirements described in paragraphs (11), (12), and (13)*  
 15 *of section 223(a), then for the period such law is in effect*  
 16 *in such State such State shall be rebuttably presumed to*  
 17 *satisfy such requirements.”.*

18 **SEC. 115. USE OF FUNDS.**

19 *Section 299C of the Juvenile Justice and Delinquency*  
 20 *Prevention Act of 1974 (42 U.S.C. 5674) is amended—*

21 *(1) in subsection (a)—*

22 *(A) by striking “may be used for”;*

23 *(B) in paragraph (1) by inserting “may be*  
 24 *used for” after “(1)”; and*

1                   (C) by amending paragraph (2) to read as  
 2                   *follows:*

3                   “(2) may not be used for the cost of construction  
 4                   of any facility, except not more than 15 percent of the  
 5                   funds received under this title by a State for a fiscal  
 6                   year may be used for the purpose of renovating or re-  
 7                   placing juvenile facilities.”;

8                   (2) by striking subsection (b); and

9                   (3) by redesignating subsection (c) as subsection  
 10                  (b).

11   **SEC. 116. LIMITATION ON USE OF FUNDS.**

12                  Part F of title II of the Juvenile Justice and Delin-  
 13                  quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),  
 14                  as so redesignated by section 110, is amended adding at  
 15                  the end the following:

16   **“SEC. 299F. LIMITATION ON USE OF FUNDS.**

17                  “None of the funds made available to carry out this  
 18                  title may be used to advocate for, or support, the unsecured  
 19                  release of juveniles who are charged with a violent crime.”.

20   **SEC. 117. RULES OF CONSTRUCTION.**

21                  Part F of title II of the Juvenile Justice and Delin-  
 22                  quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),  
 23                  as so redesignated by section 110 and amended by section  
 24                  116, is amended adding at the end the following:

1 **“SEC. 299G. RULES OF CONSTRUCTION.**

2 *“Nothing in this title or title I shall be construed—*

3 *“(1) to prevent financial assistance from being*  
 4 *awarded through grants under this title to any other-*  
 5 *wise eligible organization; or*

6 *“(2) to modify or affect any Federal or State law*  
 7 *relating to collective bargaining rights of employees.”.*

8 **SEC. 118. LEASING SURPLUS FEDERAL PROPERTY.**

9 *Part F of title II of the Juvenile Justice and Delin-*  
 10 *quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),*  
 11 *as so redesignated by section 110 and amended by section*  
 12 *117, is amended adding at the end the following:*

13 **“SEC. 299H. LEASING SURPLUS FEDERAL PROPERTY.**

14 *“The Administrator may receive surplus Federal prop-*  
 15 *erty (including facilities) and may lease such property to*  
 16 *States and units of general local government for use in or*  
 17 *as facilities for juvenile offenders, or for use in or as facili-*  
 18 *ties for delinquency prevention and treatment activities.”.*

19 **SEC. 119. ISSUANCE OF RULES.**

20 *Part F of title II or the Juvenile Justice and Delin-*  
 21 *quency Prevention Act of 1974 (42 U.S.C. 5671 et seq.),*  
 22 *as so redesignated by section 110 and amended by section*  
 23 *118, is amended adding at the end the following:*

24 **“SEC. 299I. ISSUANCE OF RULES.**

25 *“The Administrator shall issue rules to carry out this*  
 26 *title, including rules that establish procedures and methods*



1 *for making grants and contracts, and distributing funds*  
 2 *available, to carry out this title.”.*

3 **SEC. 120. TECHNICAL AND CONFORMING AMENDMENTS.**

4 (a) *TECHNICAL AMENDMENTS.—The Juvenile Justice*  
 5 *and Delinquency Prevention Act of 1974 (42 U.S.C. 5601*  
 6 *et seq.) is amended—*

7 (1) *in section 202(b) by striking “prescribed for*  
 8 *GS–18 of the General Schedule by section 5332” and*  
 9 *inserting “payable under section 5376”;*

10 (2) *in section 221(b)(2) by striking the last sen-*  
 11 *tence;*

12 (3) *in section 299D by striking subsection (d);*  
 13 *and*

14 (4) *by striking titles IV and V, as originally en-*  
 15 *acted by Public Law 93–415 (88 Stat. 1132–1143).*

16 (b) *CONFORMING AMENDMENTS.—(1) Section 5315 of*  
 17 *title 5 of the United States Code is amended by striking*  
 18 *“Office of Juvenile Justice and Delinquency Prevention”*  
 19 *and inserting “Office of Juvenile Crime Control and Delin-*  
 20 *quency Prevention”.*

21 (2) *Section 4351(b) of title 18 of the United States*  
 22 *Code is amended by striking “Office of Juvenile Justice and*  
 23 *Delinquency Prevention” and inserting “Office of Juvenile*  
 24 *Crime Control and Delinquency Prevention”.*

1       (3) Subsections (a)(1) and (c) of section 3220 of title  
 2 39 of the United States Code is amended by striking “Office  
 3 of Juvenile Justice and Delinquency Prevention” each place  
 4 it appears and inserting “Office of Juvenile Crime Control  
 5 and Delinquency Prevention”.

6       (4) Section 463(f) of the Social Security Act (42  
 7 U.S.C. 663(f)) is amended by striking “Office of Juvenile  
 8 Justice and Delinquency Prevention” and inserting “Office  
 9 of Juvenile Crime Control and Delinquency Prevention”.

10       (5) Sections 801(a), 804, 805, and 813 of title I of  
 11 the Omnibus Crime Control and Safe Streets Act of 1968  
 12 (42 U.S.C. 3712(a), 3782, 3785, 3786, 3789i) are amended  
 13 by striking “Office of Juvenile Justice and Delinquency  
 14 Prevention” each place it appears and inserting “Office of  
 15 Juvenile Crime Control and Delinquency Prevention”.

16       (6) The Victims of Child Abuse Act of 1990 (42 U.S.C.  
 17 13001 et seq.) is amended—

18           (A) in section 214(b)(1) by striking “262, 293,  
 19 and 296 of subpart II of title II” and inserting  
 20 “299B and 299E”;

21           (B) in section 214A(c)(1) by striking “262, 293,  
 22 and 296 of subpart II of title II” and inserting  
 23 “299B and 299E”;

24           (C) in sections 217 and 222 by striking “Office  
 25 of Juvenile Justice and Delinquency Prevention” each

1        *place it appears and inserting “Office of Juvenile*  
 2        *Crime Control and Delinquency Prevention”;* and

3                *(D) in section 223(c) by striking “section 262,*  
 4        *293, and 296” and inserting “sections 262, 299B, and*  
 5        *299E”.*

6        *(7) The Missing Children’s Assistance Act (42 U.S.C.*  
 7        *5771 et seq.) is amended—*

8                *(A) in section 403(2) by striking “Justice and*  
 9        *Delinquency Prevention” and inserting “Crime Con-*  
 10        *trol and Delinquency Prevention”;* and

11                *(B) in subsections (a)(5)(E) and (b)(1)(B) of sec-*  
 12        *tion 404 by striking “section 313” and inserting “sec-*  
 13        *tion 331”.*

14        *(8) The Crime Control Act of 1990 (42 U.S.C. 13001*  
 15        *et seq.) is amended—*

16                *(A) in section 217(c)(1) by striking “sections*  
 17        *262, 293, and 296 of subpart II of title II” and in-*  
 18        *serting “sections 299B and 299E”;* and

19                *(B) in section 223(c) by striking “section 262,*  
 20        *293, and 296 of title II” and inserting “sections 299B*  
 21        *and 299E”.*

22        **SEC. 121. REFERENCES.**

23        *In any Federal law (excluding this Act and the Acts*  
 24        *amended by this Act), Executive order, rule, regulation,*

1 order, delegation of authority, grant, contract, suit, or docu-  
2 ment—

3 (1) a reference to the Office of Juvenile Justice  
4 and Delinquency Prevention shall be deemed to in-  
5 clude a reference to the Office of Juvenile Crime Con-  
6 trol and Delinquency Prevention; and

7 (2) a reference to the National Institute for Juve-  
8 nile Justice and Delinquency Prevention shall be  
9 deemed to include a reference to Office of Juvenile  
10 Crime Control and Delinquency Prevention.

11 **TITLE II—AMENDMENTS TO THE**  
12 **RUNAWAY AND HOMELESS**  
13 **YOUTH ACT**

14 **SEC. 201. FINDINGS.**

15 Section 302 of the Runaway and Homeless Youth Act  
16 (42 U.S.C. 5701) is amended—

17 (1) in paragraph (5) by striking “accurate re-  
18 porting of the problem nationally” and inserting “an  
19 accurate national reporting system to report the prob-  
20 lem,”; and

21 (2) by amending paragraph (8) to read as fol-  
22 lows:

23 “(8) services for runaway and homeless youth  
24 are needed in urban, suburban and rural areas;”.

1 **SEC. 202. AUTHORITY TO MAKE GRANTS FOR CENTERS AND**  
2 **SERVICES.**

3 *Section 311 of the Runaway and Homeless Youth Act*  
4 *(42 U.S.C. 5711) is amended—*

5 *(1) by amending subsection (a) to read as fol-*  
6 *lows:*

7 *“(a)(1) The Secretary shall make grants to public and*  
8 *nonprofit private entities (and combinations of such enti-*  
9 *ties) to establish and operate (including renovation) local*  
10 *centers to provide services for runaway and homeless youth*  
11 *and for the families of such youth.*

12 *“(2) Such services—*

13 *“(A) shall be provided as an alternative to in-*  
14 *volving runaway and homeless youth in the law en-*  
15 *forcement, child welfare, mental health, and juvenile*  
16 *justice systems;*

17 *“(B) shall include—*

18 *“(i) safe and appropriate shelter; and*

19 *“(ii) individual, family, and group counsel-*  
20 *ing, as appropriate; and*

21 *“(C) may include—*

22 *“(i) street-based services;*

23 *“(ii) home-based services for families with*  
24 *youth at risk of separation from the family; and*

25 *“(iii) drug abuse education and prevention*  
26 *services.”;*

1           (2) in subsection (b)—

2                   (A) in paragraph (2) by striking “the Trust  
3           Territory of the Pacific Islands,”; and

4                   (B) by striking paragraph (4); and

5                   (3) by striking subsections (c) and (d).

6   **SEC. 203. ELIGIBILITY.**

7           Section 312 of the Runaway and Homeless Youth Act  
8   (42 U.S.C. 5712) is amended—

9           (1) in subsection (b)—

10                   (A) in paragraph (8) by striking “para-  
11           graph (6)” and inserting “paragraph (7)”;

12                   (B) in paragraph (10) by striking “and” at  
13           the end;

14                   (C) in paragraph (11) by striking the pe-  
15           riod at the end and inserting “; and”; and

16                   (D) by adding at the end the following:

17                   “(12) shall submit to the Secretary an annual  
18           report that includes—

19                           “(A) information regarding the activities  
20           carried out under this part;

21                           “(B) the achievements of the project under  
22           this part carried out by the applicant; and

23                           “(C) statistical summaries describing—

24                                   “(i) the number and the characteristics  
25           of the runaway and homeless youth, and

1                    *youth at risk of family separation, who par-*  
 2                    *ticipate in the project; and*

3                    *“(ii) the services provided to such*  
 4                    *youth by the project;*

5                    *in the year for which the report is submitted.”; and*

6                    *(2) by striking subsections (c) and (d) and in-*  
 7                    *serting the following:*

8                    *“(c) To be eligible to use assistance under section*  
 9                    *311(a)(2)(C)(i) to provide street-based services, the appli-*  
 10                    *cant shall include in the plan required by subsection (b)*  
 11                    *assurances that in providing such services the applicant*  
 12                    *will—*

13                    *“(1) provide qualified supervision of staff, in-*  
 14                    *cluding on-street supervision by appropriately*  
 15                    *trained staff;*

16                    *“(2) provide backup personnel for on-street staff;*

17                    *“(3) provide initial and periodic training of*  
 18                    *staff who provide such services; and*

19                    *“(4) conduct outreach activities for runaway and*  
 20                    *homeless youth, and street youth.*

21                    *“(d) To be eligible to use assistance under section*  
 22                    *311(a) to provide home-based services described in section*  
 23                    *311(a)(2)(C)(ii), an applicant shall include in the plan re-*  
 24                    *quired by subsection (b) assurances that in providing such*  
 25                    *services the applicant will—*

1           “(1) provide counseling and information to  
 2           youth and the families (including unrelated individ-  
 3           uals in the family households) of such youth, includ-  
 4           ing services relating to basic life skills, interpersonal  
 5           skill building, educational advancement, job attain-  
 6           ment skills, mental and physical health care, parent-  
 7           ing skills, financial planning, and referral to sources  
 8           of other needed services;

9           “(2) provide directly, or through an arrangement  
 10          made by the applicant, 24-hour service to respond to  
 11          family crises (including immediate access to tem-  
 12          porary shelter for runaway and homeless youth, and  
 13          youth at risk of separation from the family);

14          “(3) establish, in partnership with the families  
 15          of runaway and homeless youth, and youth at risk of  
 16          separation from the family, objectives and measures of  
 17          success to be achieved as a result of receiving home-  
 18          based services;

19          “(4) provide initial and periodic training of  
 20          staff who provide home-based services; and

21          “(5) ensure that—

22               “(A) caseloads will remain sufficiently low  
 23               to allow for intensive (5 to 20 hours per week)  
 24               involvement with each family receiving such  
 25               services; and



1                   “(B) staff providing such services will re-  
2                   ceive qualified supervision.

3           “(e) To be eligible to use assistance under section  
4 311(a)(2)(C)(iii) to provide drug abuse education and pre-  
5 vention services, an applicant shall include in the plan re-  
6 quired by subsection (b)—

7                   “(1) a description of—

8                   “(A) the types of such services that the ap-  
9                   plicant proposes to provide;

10                   “(B) the objectives of such services; and

11                   “(C) the types of information and training  
12 to be provided to individuals providing such  
13 services to runaway and homeless youth; and

14                   “(2) an assurance that in providing such services  
15 the applicant shall conduct outreach activities for  
16 runaway and homeless youth.”.

17 **SEC. 204. APPROVAL OF APPLICATIONS.**

18           Section 313 of the Runaway and Homeless Youth Act  
19 (42 U.S.C. 5713) is amended to read as follows:

20                   “APPROVAL OF APPLICATIONS

21           “SEC. 313. (a) An application by a public or private  
22 entity for a grant under section 311(a) may be approved  
23 by the Secretary after taking into consideration, with re-  
24 spect to the State in which such entity proposes to provide  
25 services under this part—

1           “(1) the geographical distribution in such State  
2           of the proposed services under this part for which all  
3           grant applicants request approval; and

4           “(2) which areas of such State have the greatest  
5           need for such services.

6           “(b) The Secretary shall, in considering applications  
7           for grants under section 311(a), give priority to—

8           “(1) eligible applicants who have demonstrated  
9           experience in providing services to runaway and  
10          homeless youth; and

11          “(2) eligible applicants that request grants of less  
12          than \$200,000.”.

13   **SEC. 205. AUTHORITY FOR TRANSITIONAL LIVING GRANT**  
14                           **PROGRAM.**

15          Section 321 of the Runaway and Homeless Youth Act  
16   (42 U.S.C. 5714–1) is amended—

17           (1) in the heading by striking “PURPOSE AND”;

18           (2) in subsection (a) by striking “(a)”; and

19           (3) by striking subsection (b).

20   **SEC. 206. ELIGIBILITY.**

21          Section 322(a)(9) of the Runaway and Homeless Youth  
22   Act (42 U.S.C. 5714–2(a)(9)) is amended by inserting “,  
23   and the services provided to such youth by such project,”  
24   after “such project”.

1 **SEC. 207. AUTHORITY TO MAKE GRANTS FOR RESEARCH,**  
 2 **EVALUATION, DEMONSTRATION, AND SERV-**  
 3 **ICE PROJECTS.**

4 *Section 343 of the Runaway and Homeless Youth Act*  
 5 *(42 U.S.C. 5714–23) is amended—*

6 *(1) in the heading of such section by inserting*  
 7 *“EVALUATION,” after “RESEARCH,”;*

8 *(2) in subsection (a) by inserting “evaluation,”*  
 9 *after “research,”; and*

10 *(3) in subsection (b)—*

11 *(A) by striking paragraph (2); and*

12 *(B) by redesignating paragraphs (3)*  
 13 *through (10) as paragraphs (2) through (9), re-*  
 14 *spectively.*

15 **SEC. 208. TEMPORARY DEMONSTRATION PROJECTS TO**  
 16 **PROVIDE SERVICES TO YOUTH IN RURAL**  
 17 **AREAS.**

18 *Section 344 of the Runaway and Homeless Youth Act*  
 19 *(42 U.S.C. 5714–24) is repealed.*

20 **SEC. 209. SEXUAL ABUSE PREVENTION PROGRAM.**

21 *Section 40155 of the Violent Crime Control and Law*  
 22 *Enforcement Act of 1994 (Public Law 103–322; 108 Stat.*  
 23 *1922) is amended to read as follows:*

1 **“SEC. 40155. EDUCATION AND PREVENTION GRANTS TO RE-**  
 2 **DUCE SEXUAL ABUSE OF RUNAWAY, HOME-**  
 3 **LESS, AND STREET YOUTH.**

4 “(a) *AUTHORITY FOR PROGRAM.—The Runaway and*  
 5 *Homeless Youth Act (42 U.S.C. 5701 et seq.) is amended—*

6 *“(1) by striking the heading for part F;*

7 *“(2) by redesignating part E as part F; and*

8 *“(3) by inserting after part D the following:*

9 **“‘PART E—SEXUAL ABUSE PREVENTION**  
 10 **PROGRAM**

11 **“‘SEC. 351. AUTHORITY TO MAKE GRANTS.**

12 *“(a) The Secretary may make grants to nonprofit pri-*  
 13 *vate agencies for the purpose of providing street-based serv-*  
 14 *ices to runaway and homeless, and street youth, who have*  
 15 *been subjected to, or are at risk of being subjected to, sexual*  
 16 *abuse.*

17 *“(b) In selecting applicants to receive grants under*  
 18 *subsection (a), the Secretary shall give priority to non-prof-*  
 19 *it private agencies that have experience in providing serv-*  
 20 *ices to runaway and homeless, and street youth.’.*

21 *“(b) AUTHORIZATION OF APPROPRIATIONS.—Section*  
 22 *389(a) of the Runaway and Homeless Youth Act (42 U.S.C.*  
 23 *5751), as amended by section 213 of the Juvenile Crime*  
 24 *Control and Delinquency Prevention Act of 1998, is amend-*  
 25 *ed by adding at the end the following:*

5        *Section 371 of the Runaway and Homeless Youth Act*  
6        *(42 U.S.C. 5714a) is amended by striking the last sentence.*

8        *Section 381 of the Runaway and Homeless Youth Act*  
9   *(42 U.S.C. 5715) is amended to read as follows:*

11           “SEC. 381. (a) Not later than April 1, 1999, and at  
12 2-year intervals thereafter, the Secretary shall submit, to  
13 the Committee on Education and the Workforce of the  
14 House of Representatives and the Committee on the Judici-  
15 ary of the Senate, a report on the status, activities, and  
16 accomplishments of entities that receive grants under parts  
17 A, B, C, D, and E, with particular attention to—

18 “(1) in the case of centers funded under part A,  
19 the ability or effectiveness of such centers in—

20 “(A) *alleviating the problems of runaway*  
21 *and homeless youth;*

22 “(B) if applicable or appropriate, reuniting  
23 such youth with their families and encouraging  
24 the resolution of intrafamily problems through  
25 counseling and other services;

1           “(C) *strengthening family relationships and*  
 2           *encouraging stable living conditions for such*  
 3           *youth; and*

4           “(D) *assisting such youth to decide upon a*  
 5           *future course of action; and*

6           “(2) *in the case of projects funded under part*  
 7       *B—*

8           “(A) *the number and characteristics of*  
 9           *homeless youth served by such projects;*

10          “(B) *the types of activities carried out by*  
 11          *such projects;*

12          “(C) *the effectiveness of such projects in al-*  
 13          *leviating the problems of homeless youth;*

14          “(D) *the effectiveness of such projects in*  
 15          *preparing homeless youth for self-sufficiency;*

16          “(E) *the effectiveness of such projects in as-*  
 17          *sisting homeless youth to decide upon future edu-*  
 18          *cation, employment, and independent living;*

19          “(F) *the ability of such projects to encour-*  
 20          *age the resolution of intrafamily problems*  
 21          *through counseling and development of self-suffi-*  
 22          *cient living skills; and*

23          “(G) *activities and programs planned by*  
 24          *such projects for the following fiscal year.*

1       “(b) *The Secretary shall include in the report required*  
 2 *by subsection (a) summaries of—*

3               “(1) *the evaluations performed by the Secretary*  
 4 *under section 386; and*

5               “(2) *descriptions of the qualifications of, and*  
 6 *training provided to, individuals involved in carry-*  
 7 *ing out such evaluations.”.*

8   **SEC. 212. EVALUATION.**

9       *Section 384 of the Runaway and Homeless Youth Act*  
 10 *(42 U.S.C. 5732) is amended to read as follows:*

11               “*EVALUATION AND INFORMATION*

12       “*SEC. 384. (a) If a grantee receives grants for 3 con-*  
 13 *secutive fiscal years under part A, B, C, D, or E (in the*  
 14 *alternative), then the Secretary shall evaluate such grantee*  
 15 *on-site, not less frequently than once in the period of such*  
 16 *3 consecutive fiscal years, for purposes of—*

17               “(1) *determining whether such grants are being*  
 18 *used for the purposes for which such grants are made*  
 19 *by the Secretary;*

20               “(2) *collecting additional information for the re-*  
 21 *port required by section 383; and*

22               “(3) *providing such information and assistance*  
 23 *to such grantee as will enable such grantee to improve*  
 24 *the operation of the centers, projects, and activities for*  
 25 *which such grants are made.*

1       “(b) *Recipients of grants under this title shall cooper-*  
 2 *ate with the Secretary’s efforts to carry out evaluations, and*  
 3 *to collect information, under this title.*”.

4   **SEC. 213. AUTHORIZATION OF APPROPRIATIONS.**

5       *Section 385 of the Runaway and Homeless Youth Act*  
 6 *(42 U.S.C. 5751) is amended to read as follows:*

7               “AUTHORIZATION OF APPROPRIATIONS

8       “SEC. 389. (a)(1) *There are authorized to be appro-*  
 9 *priated to carry out this title (other than part E) such sums*  
 10 *as may be necessary for fiscal years 1999, 2000, 2001, and*  
 11 *2002.*

12       “(2)(A) *From the amount appropriated under para-*  
 13 *graph (1) for a fiscal year, the Secretary shall reserve not*  
 14 *less than 90 percent to carry out parts A and B.*

15       “(B) *Of the amount reserved under subparagraph (A),*  
 16 *not less than 20 percent, and not more than 30 percent,*  
 17 *shall be reserved to carry out part B.*

18       “(3) *After reserving the amounts required by para-*  
 19 *graph (2), the Secretary shall reserve the remaining amount*  
 20 *(if any) to carry out parts C and D.*

21       “(b) *No funds appropriated to carry out this title may*  
 22 *be combined with funds appropriated under any other Act*  
 23 *if the purpose of combining such funds is to make a single*  
 24 *discretionary grant, or a single discretionary payment, un-*  
 25 *less such funds are separately identified in all grants and*



1 *contracts and are used for the purposes specified in this*  
 2 *title.”.*

3 **SEC. 214. CONSOLIDATED REVIEW OF APPLICATIONS.**

4 *The Runaway and Homeless Youth Act (42 U.S.C.*  
 5 *5701 et seq.) is amended by inserting after section 384 the*  
 6 *following:*

7 “CONSOLIDATED REVIEW OF APPLICATIONS

8 “SEC. 385. *With respect to funds available to carry*  
 9 *out parts A, B, C, D, and E, nothing in this title shall*  
 10 *be construed to prohibit the Secretary from—*

11 “(1) *announcing, in a single announcement, the*  
 12 *availability of funds for grants under 2 or more of*  
 13 *such parts; and*

14 “(2) *reviewing applications for grants under 2*  
 15 *or more of such parts in a single, consolidated appli-*  
 16 *cation review process.”.*

17 **SEC. 215. DEFINITIONS.**

18 *The Runaway and Homeless Youth Act (42 U.S.C.*  
 19 *5701 et seq.) is amended by inserting after section 385, as*  
 20 *added by section 214, the following:*

21 “DEFINITIONS

22 “SEC. 386. *For the purposes of this title:*

23 “(1) *The term ‘drug abuse education and preven-*  
 24 *tion services’—*

1           “(A) means services to runaway and home-  
 2           less youth to prevent or reduce the illicit use of  
 3           drugs by such youth; and

4           “(B) may include—

5                 “(i) individual, family, group, and  
 6                 peer counseling;

7                 “(ii) drop-in services;

8                 “(iii) assistance to runaway and  
 9                 homeless youth in rural areas (including  
 10                the development of community support  
 11                groups);

12                “(iv) information and training relat-  
 13                ing to the illicit use of drugs by runaway  
 14                and homeless youth, to individuals involved  
 15                in providing services to such youth; and

16                “(v) activities to improve the availabil-  
 17                ity of local drug abuse prevention services to  
 18                runaway and homeless youth.

19           “(2) The term ‘home-based services’—

20                “(A) means services provided to youth and  
 21                their families for the purpose of—

22                “(i) preventing such youth from run-  
 23                ning away, or otherwise becoming sepa-  
 24                rated, from their families; and

1                   “(ii) assisting runaway youth to re-  
2                   turn to their families; and

3                   “(B) includes services that are provided in  
4                   the residences of families (to the extent prac-  
5                   ticable), including—

6                   “(i) intensive individual and family  
7                   counseling; and

8                   “(ii) training relating to life skills and  
9                   parenting.

10                  “(3) The term ‘homeless youth’ means an indi-  
11                  vidual—

12                  “(A) who is—

13                       “(i) not more than 21 years of age;  
14                       and

15                       “(ii) for the purposes of part B, not  
16                       less than 16 years of age;

17                       “(B) for whom it is not possible to live in  
18                       a safe environment with a relative; and

19                       “(C) who has no other safe alternative liv-  
20                       ing arrangement.

21                  “(4) The term ‘street-based services’—

22                       “(A) means services provided to runaway  
23                       and homeless youth, and street youth, in areas  
24                       where they congregate, designed to assist such

1           *youth in making healthy personal choices regard-*  
 2           *ing where they live and how they behave; and*

3           “(B) may include—

4                 “(i) identification of and outreach to  
 5                 runaway and homeless youth, and street  
 6                 youth;

7                 “(ii) crisis intervention and counsel-  
 8                 ing;

9                 “(iii) information and referral for  
 10                 housing;

11                 “(iv) information and referral for  
 12                 transitional living and health care services;

13                 “(v) advocacy, education, and preven-  
 14                 tion services related to—

15                         “(I) alcohol and drug abuse;

16                         “(II) sexually transmitted dis-  
 17                         eases, including human immuno-  
 18                         deficiency virus (HIV); and

19                         “(III) physical and sexual as-  
 20                         sault.

21           “(5) The term ‘street youth’ means an individual  
 22           who—

23                 “(A) is—

24                         “(i) a runaway youth; or

1                   “(ii) indefinitely or intermittently a  
2                   homeless youth; and

3                   “(B) spends a significant amount of time  
4                   on the street or in other areas which increase the  
5                   exposure of such youth to sexual abuse.

6                   “(6) The term ‘transitional living youth project’  
7                   means a project that provides shelter and services de-  
8                   signed to promote a transition to self-sufficient living  
9                   and to prevent long-term dependency on social serv-  
10                  ices.

11                  “(7) The term ‘youth at risk of separation from  
12                  the family’ means an individual—

13                         “(A) who is less than 18 years of age; and

14                         “(B)(i) who has a history of running away  
15                         from the family of such individual;

16                         “(ii) whose parent, guardian, or custodian  
17                         is not willing to provide for the basic needs of  
18                         such individual; or

19                         “(iii) who is at risk of entering the child  
20                         welfare system or juvenile justice system as a re-  
21                         sult of the lack of services available to the family  
22                         to meet such needs.”.

23 **SEC. 216. REDESIGNATION OF SECTIONS.**

24                   Sections 371, 372, 381, 382, 383, 384, 385, and 386  
25                   of the Runaway and Homeless Youth Act (42 U.S.C. 5714b–

1 5851 *et seq.*), as amended by this title, are redesignated as  
 2 sections 381, 382, 383, 384, 385, 386, 387, and 388, respec-  
 3 tively.

4 **SEC. 217. TECHNICAL AMENDMENT.**

5 Section 331 of the Runaway and Homeless Youth Act  
 6 (42 U.S.C. 5701 *et seq.*) is amended in the 1st sentence by  
 7 striking “With” and all that follows through “the Sec-  
 8 retary”, and inserting “The Secretary”.

9 **TITLE III—REPEAL OF TITLE V**  
 10 **RELATING TO INCENTIVE**  
 11 **GRANTS FOR LOCAL DELIN-**  
 12 **QUENCY PREVENTION PRO-**  
 13 **GRAMS**

14 **SEC. 301. REPEALER.**

15 Title V of the Juvenile Justice and Delinquency Pre-  
 16 vention Act of 1974 (42 U.S.C. 5681 *et seq.*), as added by  
 17 Public Law 102–586, is repealed.

18 **TITLE IV—MISCELLANEOUS**  
 19 **AMENDMENTS**

20 **SEC. 401. NATIONAL RESOURCE CENTER AND CLEARING-**  
 21 **HOUSE FOR MISSING CHILDREN.**

22 (a) *ALTERNATIVE AUTHORIZATION OF APPROPRIA-*  
 23 *TIONS.—There is authorized to be appropriated to The Na-*  
 24 *tional Center for Missing and Exploited Children, a non-*  
 25 *profit corporation organized under the laws of the District*

1 of Columbia, \$5,000,000 for each of the fiscal years 1999,  
2 2000, 2001, and 2002 to operate a national resource center  
3 and clearinghouse designed—

4 (1) to provide to State and local governments,  
5 public and private nonprofit agencies, and individ-  
6 uals information regarding—

7 (A) free or low-cost legal, restaurant, lodg-  
8 ing, and transportation services that are avail-  
9 able for the benefit of missing children and their  
10 families; and

11 (B) the existence and nature of programs  
12 being carried out by Federal agencies to assist  
13 missing children and their families;

14 (2) to coordinate public and private programs  
15 which locate, recover, or reunite missing children with  
16 their legal custodians;

17 (3) to disseminate nationally information about  
18 innovative and model missing children's programs,  
19 services, and legislation; and

20 (4) to provide technical assistance and training  
21 to law enforcement agencies, State and local govern-  
22 ments, elements of the criminal justice system, public  
23 and private nonprofit agencies, and individuals in  
24 the prevention, investigation, prosecution, and treat-

1        *ment of missing and exploited child cases and in lo-*  
 2        *cating and recovering missing children.*

3        *(b) CONFORMING AMENDMENTS.—Section 404(b) of the*  
 4        *Missing Children’s Assistance Act (42 U.S.C. 5773(b)) is*  
 5        *amended—*

6                *(1) by striking “, shall”;*

7                *(2) in paragraph (1)—*

8                        *(A) in subparagraph (A) by inserting*  
 9                *“shall” after “(A)”;* *and*

10                      *(B) in subparagraph (B) by striking “co-*  
 11                *ordinating” and inserting “shall coordinate”;*

12                *(3) in paragraph (2) by inserting “for any fiscal*  
 13        *year for which no funds are appropriated under sec-*  
 14        *tion 2 of the Missing and Exploited Children Act of*  
 15        *1997, shall” after “(2)”;*

16                *(4) in paragraph (3) by inserting “shall” after*  
 17        *“(3)”;* *and*

18                *(5) in paragraph (4) by inserting “shall” after*  
 19        *“(4)”.*



1 **TITLE V—REFORMING THE FED-**  
 2 **ERAL JUVENILE JUSTICE SYS-**  
 3 **TEM**

4 **SEC. 501. DELINQUENCY PROCEEDINGS OR CRIMINAL**  
 5 **PROSECUTIONS IN DISTRICT COURTS.**

6 *Section 5032 of title 18, United States Code, is amend-*  
 7 *ed to read as follows:*

8 **“§ 5032. Delinquency proceedings or criminal prosecu-**  
 9 **tions in district courts**

10 *“(a)(1) A juvenile alleged to have committed an offense*  
 11 *against the United States or an act of juvenile delinquency*  
 12 *may be surrendered to State authorities, but if not so sur-*  
 13 *rendered, shall be proceeded against as a juvenile under this*  
 14 *subsection or tried as an adult in the circumstances de-*  
 15 *scribed in subsections (b) and (c).*

16 *“(2) A juvenile may be proceeded against as a juvenile*  
 17 *in a court of the United States under this subsection if—*

18 *“(A) the alleged offense or act of juvenile delin-*  
 19 *quency is committed within the special maritime and*  
 20 *territorial jurisdiction of the United States and is one*  
 21 *for which the maximum authorized term of imprison-*  
 22 *ment does not exceed 6 months; or*

23 *“(B) the Attorney General, after investigation,*  
 24 *certifies to the appropriate United States district*  
 25 *court that—*

1           “(i) the juvenile court or other appropriate  
2           court of a State does not have jurisdiction or de-  
3           clines to assume jurisdiction over the juvenile  
4           with respect to the alleged act of juvenile delin-  
5           quency, and

6           “(ii) there is a substantial Federal interest  
7           in the case or the offense to warrant the exercise  
8           of Federal jurisdiction.

9           “(3) If the Attorney General does not so certify or does  
10          not have authority to try such juvenile as an adult, such  
11          juvenile shall be surrendered to the appropriate legal au-  
12          thorities of such State.

13          “(4) If a juvenile alleged to have committed an act  
14          of juvenile delinquency is proceeded against as a juvenile  
15          under this section, any proceedings against the juvenile  
16          shall be in an appropriate district court of the United  
17          States. For such purposes, the court may be convened at  
18          any time and place within the district, and shall be open  
19          to the public, except that the court may exclude all or some  
20          members of the public, other than a victim unless the victim  
21          is a witness in the determination of guilt or innocence, if  
22          required by the interests of justice or if other good cause  
23          is shown. The Attorney General shall proceed by informa-  
24          tion or as authorized by section 3401(g) of this title, and

1 *no criminal prosecution shall be instituted except as pro-*  
 2 *vided in this chapter.*

3       “(b)(1) *Except as provided in paragraph (2), a juve-*  
 4 *nile shall be prosecuted as an adult—*

5               “(A) *if the juvenile has requested in writing*  
 6 *upon advice of counsel to be prosecuted as an adult;*  
 7 *or*

8               “(B) *if the juvenile is alleged to have committed*  
 9 *an act after the juvenile attains the age of 14 years*  
 10 *which if committed by an adult would be a serious*  
 11 *violent felony or a serious drug offense described in*  
 12 *section 3559(c) of this title, or a conspiracy or at-*  
 13 *tempt to commit that felony or offense, which is pun-*  
 14 *ishable under section 406 of the Controlled Substances*  
 15 *Act (21 U.S.C. 846), or section 1013 of the Controlled*  
 16 *Substances Import and Export Act (21 U.S.C. 963).*

17       “(2) *The requirements of paragraph (1) do not apply*  
 18 *if the Attorney General certifies to the appropriate United*  
 19 *States district court that the interests of justice are best*  
 20 *served by proceeding against the juvenile as a juvenile.*

21       “(c)(1) *A juvenile may also be prosecuted as an adult*  
 22 *if the juvenile is alleged to have committed an act after the*  
 23 *juvenile has attained the age of 13 years which if committed*  
 24 *by a juvenile after the juvenile attained the age of 14 years*  
 25 *would require that the juvenile be prosecuted as an adult*

1 *under subsection (b), upon approval of the Attorney Gen-*  
 2 *eral.*

3       “(2) *The Attorney General shall not delegate the au-*  
 4 *thority to give the approval required under paragraph (1)*  
 5 *to an officer or employee of the Department of Justice at*  
 6 *a level lower than a Deputy Assistant Attorney General.*

7       “(3) *Such approval shall not be granted, with respect*  
 8 *to such a juvenile who is subject to the criminal jurisdiction*  
 9 *of an Indian tribal government and who is alleged to have*  
 10 *committed an act over which, if committed by an adult,*  
 11 *there would be Federal jurisdiction based solely on its com-*  
 12 *mission in Indian country (as defined in section 1151), un-*  
 13 *less the governing body of the tribe having jurisdiction over*  
 14 *the place in which the alleged act was committed has before*  
 15 *such act notified the Attorney General in writing of its elec-*  
 16 *tion that prosecution may take place under this subsection.*

17       “(4) *A juvenile may also be prosecuted as an adult*  
 18 *if the juvenile is alleged to have committed an act which*  
 19 *is not described in subsection (b)(1)(B) after the juvenile*  
 20 *has attained the age of 14 years and which if committed*  
 21 *by an adult would be—*

22               “(A) *a crime of violence (as defined in sec-*  
 23 *tion 3156(a)(4)) that is a felony;*

1           “(B) an offense described in section 844 (d),  
 2           (k), or (l), or subsection (a)(6), (b), (g), (h), (j),  
 3           (k), or (l) of section 924;

4           “(C) a violation of section 922(o) that is an  
 5           offense under section 924(a)(2);

6           “(D) a violation of section 5861 of the In-  
 7           ternal Revenue Code of 1986 that is an offense  
 8           under section 5871 of such Code (26 U.S.C.  
 9           5871);

10          “(E) a conspiracy to commit an offense de-  
 11          scribed in any of subparagraphs (A) through  
 12          (D); or

13          “(F) an offense described in section 401 or  
 14          408 of the Controlled Substances Act (21 U.S.C.  
 15          841, 848) or a conspiracy or attempt to commit  
 16          that offense which is punishable under section  
 17          406 of the Controlled Substances Act (21 U.S.C.  
 18          846), or an offense punishable under section 409  
 19          or 419 of the Controlled Substances Act (21  
 20          U.S.C. 849, 860), or an offense described in sec-  
 21          tion 1002, 1003, 1005, or 1009 of the Controlled  
 22          Substances Import and Export Act (21 U.S.C.  
 23          952, 953, 955, or 959), or a conspiracy or at-  
 24          tempt to commit that offense which is punishable

1           *under section 1013 of the Controlled Substances*  
2           *Import and Export Act (21 U.S.C. 963).*

3           “(d) *A determination to approve or not to approve,*  
4           *or to institute or not to institute, a prosecution under sub-*  
5           *section (b) or (c), and a determination to file or not to file,*  
6           *and the contents of, a certification under subsection (a) or*  
7           *(b) shall not be reviewable in any court.*

8           “(e) *In a prosecution under subsection (b) or (c), the*  
9           *juvenile may be prosecuted and convicted as an adult for*  
10          *any other offense which is properly joined under the Federal*  
11          *Rules of Criminal Procedure, and may also be convicted*  
12          *of a lesser included offense.*

13          “(f) *The Attorney General shall annually report to*  
14          *Congress—*

15                 “(1) *the number of juveniles adjudicated delin-*  
16                 *quent or tried as adults in Federal court;*

17                 “(2) *the race, ethnicity, and gender of those juve-*  
18                 *niles;*

19                 “(3) *the number of those juveniles who were*  
20                 *abused or neglected by their families, to the extent*  
21                 *such information is available; and*

22                 “(4) *the number and types of assault crimes,*  
23                 *such as rapes and beatings, committed against juve-*  
24                 *niles while incarcerated in connection with the adju-*  
25                 *dication or conviction.*

1 “(g) *As used in this section—*

2 “(1) *the term ‘State’ includes a State of the*  
 3 *United States, the District of Columbia, any common-*  
 4 *wealth, territory, or possession of the United States*  
 5 *and, with regard to an act of juvenile delinquency*  
 6 *that would have been a misdemeanor if committed by*  
 7 *an adult, a federally recognized tribe; and*

8 “(2) *the term ‘serious violent felony’ has the*  
 9 *same meaning given that term in section*  
 10 *3559(c)(2)(F)(i).”.*

11 **SEC. 502. CUSTODY PRIOR TO APPEARANCE BEFORE JUDI-**  
 12 **CIAL OFFICER.**

13 *Section 5033 of title 18, United States Code, is amend-*  
 14 *ed to read as follows:*

15 **“§ 5033. Custody prior to appearance before judicial**  
 16 **officer**

17 “(a) *Whenever a juvenile is taken into custody, the ar-*  
 18 *resting officer shall immediately advise such juvenile of the*  
 19 *juvenile’s rights, in language comprehensible to a juvenile.*  
 20 *The arresting officer shall promptly take reasonable steps*  
 21 *to notify the juvenile’s parents, guardian, or custodian of*  
 22 *such custody, of the rights of the juvenile, and of the nature*  
 23 *of the alleged offense.*

24 “(b) *The juvenile shall be taken before a judicial officer*  
 25 *without unreasonable delay.”.*

1 **SEC. 503. TECHNICAL AND CONFORMING AMENDMENTS TO**

2 **SECTION 5034.**

3 *Section 5034 of title 18, United States Code, is amend-*  
 4 *ed—*

5 (1) *by striking “The” each place it appears at*  
 6 *the beginning of a paragraph and inserting “the”;*

7 (2) *by striking “If” at the beginning of the 3rd*  
 8 *paragraph and inserting “if”;*

9 (3)(A) *by designating the 3 paragraphs as para-*  
 10 *graphs (1), (2), and (3), respectively; and*

11 (B) *by moving such designated paragraphs 2*  
 12 *ems to the right; and*

13 (4) *by inserting at the beginning of such section*  
 14 *before those paragraphs the following:*

15 *“In a proceeding under section 5032(a)—”.*

16 **SEC. 504. DETENTION PRIOR TO DISPOSITION OR SENTENC-**  
 17 **ING.**

18 *Section 5035 of title 18, United States Code, is amend-*  
 19 *ed to read as follows:*

20 **“§ 5035. Detention prior to disposition or sentencing**

21 *“(a)(1) A juvenile who has attained the age of 16 years*  
 22 *and who is prosecuted pursuant to subsection (b) or (c) of*  
 23 *section 5032, if detained at any time prior to sentencing,*  
 24 *shall be detained in such suitable place as the Attorney Gen-*  
 25 *eral may designate. Preference shall be given to a place lo-*



1 cated within, or within a reasonable distance of, the district  
2 in which the juvenile is being prosecuted.

3 “(2) A juvenile less than 16 years of age prosecuted  
4 pursuant to subsection (b) or (c) of section 5032, if detained  
5 at any time prior to sentencing, shall be detained in a suit-  
6 able juvenile facility located within, or within a reasonable  
7 distance of, the district in which the juvenile is being pros-  
8 ecuted. If such a facility is not available, such a juvenile  
9 may be detained in any other suitable facility located with-  
10 in, or within a reasonable distance of, such district. If no  
11 such facility is available, such a juvenile may be detained  
12 in any other suitable place as the Attorney General may  
13 designate.

14 “(3) To the maximum extent feasible, a juvenile less  
15 than 16 years of age prosecuted pursuant to subsection (b)  
16 or (c) of section 5032 shall not be detained prior to sentenc-  
17 ing in any facility in which the juvenile has regular contact  
18 with adult persons convicted of a crime or awaiting trial  
19 on criminal charges.

20 “(b) A juvenile proceeded against under section 5032  
21 shall not be detained prior to disposition in any facility  
22 in which the juvenile has regular contact with adult persons  
23 convicted of a crime or awaiting trial on criminal charges.

24 “(c) Every juvenile who is detained prior to disposi-  
25 tion or sentencing shall be provided with reasonable safety

1 *and security and with adequate food, heat, light, sanitary*  
 2 *facilities, bedding, clothing, recreation, education, and med-*  
 3 *ical care, including necessary psychiatric, psychological, or*  
 4 *other care and treatment.”.*

5 **SEC. 505. SPEEDY TRIAL.**

6 *Section 5036 of title 18, United States Code, is amend-*  
 7 *ed by—*

8 *(1) striking “If an alleged delinquent” and in-*  
 9 *serting “If a juvenile proceeded against under section*  
 10 *5032(a)”;*

11 *(2) striking “thirty” and inserting “45”; and*

12 *(3) striking “the court,” and all that follows*  
 13 *through the end of the section and inserting “the*  
 14 *court. The periods of exclusion under section 3161(h)*  
 15 *of this title shall apply to this section.”.*

16 **SEC. 506. DISPOSITION; AVAILABILITY OF INCREASED DE-**  
 17 **TENTION, FINES AND SUPERVISED RELEASE**  
 18 **FOR JUVENILE OFFENDERS.**

19 *(a) DISPOSITION.—Section 5037 of title 18, United*  
 20 *States Code, is amended to read as follows:*

21 **“§ 5037. Disposition**

22 *“(a) In a proceeding under section 5032(a), if the*  
 23 *court finds a juvenile to be a juvenile delinquent, the court*  
 24 *shall hold a hearing concerning the appropriate disposition*  
 25 *of the juvenile no later than 40 court days after the finding*

1 of juvenile delinquency, unless the court has ordered further  
2 study pursuant to subsection (e). A predisposition report  
3 shall be prepared by the probation officer who shall prompt-  
4 ly provide a copy to the juvenile, the juvenile's counsel, and  
5 the attorney for the Government. Victim impact informa-  
6 tion shall be included in the report, and victims, or in ap-  
7 propriate cases their official representatives, shall be pro-  
8 vided the opportunity to make a statement to the court in  
9 person or present any information in relation to the dis-  
10 position. After the dispositional hearing, and after consider-  
11 ing the sanctions recommended pursuant to subsection (f),  
12 the court shall impose an appropriate sanction, including  
13 the ordering of restitution pursuant to section 3556 of this  
14 title. The court may order the juvenile's parent, guardian,  
15 or custodian to be present at the dispositional hearing and  
16 the imposition of sanctions and may issue orders directed  
17 to such parent, guardian, custodian regarding conduct with  
18 respect to the juvenile. With respect to release or detention  
19 pending an appeal or a petition for a writ of certiorari  
20 after disposition, the court shall proceed pursuant to chap-  
21 ter 207.

22       “(b) The term for which probation may be ordered for  
23 a juvenile found to be a juvenile delinquent may not extend  
24 beyond the maximum term that would be authorized by sec-  
25 tion 3561(c) if the juvenile had been tried and convicted

1 *as an adult. Sections 3563, 3564, and 3565 are applicable*  
 2 *to an order placing a juvenile on probation.*

3       “(c) *The term for which official detention may be or-*  
 4 *dered for a juvenile found to be a juvenile delinquent may*  
 5 *not extend beyond the lesser of—*

6               “(1) *the maximum term of imprisonment that*  
 7 *would be authorized if the juvenile had been tried and*  
 8 *convicted as an adult;*

9               “(2) *ten years; or*

10              “(3) *the date when the juvenile becomes twenty-*  
 11 *six years old.*

12 *Section 3624 is applicable to an order placing a juvenile*  
 13 *in detention.*

14       “(d) *The term for which supervised release may be or-*  
 15 *dered for a juvenile found to be a juvenile delinquent may*  
 16 *not extend beyond 5 years. Subsections (c) through (i) of*  
 17 *section 3583 apply to an order placing a juvenile on super-*  
 18 *vised release.*

19       “(e) *If the court desires more detailed information con-*  
 20 *cerning a juvenile alleged to have committed an act of juve-*  
 21 *nile delinquency or a juvenile adjudicated delinquent, it*  
 22 *may commit the juvenile, after notice and hearing at which*  
 23 *the juvenile is represented by counsel, to the custody of the*  
 24 *Attorney General for observation and study by an appro-*  
 25 *priate agency or entity. Such observation and study shall*

1 *be conducted on an outpatient basis, unless the court deter-*  
 2 *mines that inpatient observation and study are necessary*  
 3 *to obtain the desired information. In the case of an alleged*  
 4 *juvenile delinquent, inpatient study may be ordered only*  
 5 *with the consent of the juvenile and the juvenile's attorney.*  
 6 *The agency or entity shall make a study of all matters rel-*  
 7 *evant to the alleged or adjudicated delinquent behavior and*  
 8 *the court's inquiry. The Attorney General shall submit to*  
 9 *the court and the attorneys for the juvenile and the Govern-*  
 10 *ment the results of the study within 30 days after the com-*  
 11 *mitment of the juvenile, unless the court grants additional*  
 12 *time. Time spent in custody under this subsection shall be*  
 13 *excluded for purposes of section 5036.*

14       “(f)(1) *The United States Sentencing Commission, in*  
 15 *consultation with the Attorney General, shall develop a list*  
 16 *of possible sanctions for juveniles adjudicated delinquent.*

17       “(2) *Such list shall—*

18               “(A) *be comprehensive in nature and encompass*  
 19 *punishments of varying levels of severity;*

20               “(B) *include terms of confinement; and*

21               “(C) *provide punishments that escalate in sever-*  
 22 *ity with each additional or subsequent more serious*  
 23 *delinquent conduct.”.*

24       (b) *EFFECTIVE DATE.—The Sentencing Commission*  
 25 *shall develop the list required pursuant to section 5037(f),*

1 *as amended by subsection (a), not later than 180 days after*  
 2 *the date of the enactment of this Act.*

3 *(c) CONFORMING AMENDMENT TO ADULT SENTENCING*  
 4 *SECTION.—Section 3553 of title 18, United States Code, is*  
 5 *amended by adding at the end the following:*

6 *“(g) LIMITATION ON APPLICABILITY OF STATUTORY*  
 7 *MINIMUMS IN CERTAIN PROSECUTIONS OF PERSONS*  
 8 *UNDER THE AGE OF 16.—Notwithstanding any other pro-*  
 9 *vision of law, in the case of a defendant convicted for con-*  
 10 *duct that occurred before the juvenile attained the age of*  
 11 *16 years, the court shall impose a sentence without regard*  
 12 *to any statutory minimum sentence, if the court finds at*  
 13 *sentencing, after affording the Government an opportunity*  
 14 *to make a recommendation, that the juvenile has not been*  
 15 *previously adjudicated delinquent for or convicted of an of-*  
 16 *fense described in section 5032(b)(1)(B).”.*

17 **SEC. 507. JUVENILE RECORDS AND FINGERPRINTING.**

18 *Section 5038 of title 18, United States Code, is amend-*  
 19 *ed to read as follows:*

20 **“§ 5038. Juvenile records and fingerprinting**

21 *“(a)(1) Throughout and upon the completion of the ju-*  
 22 *venile delinquency proceeding under section 5032(a), the*  
 23 *court shall keep a record relating to the arrest and adju-*  
 24 *dication that is—*

1           “(A) equivalent to the record that would be kept  
2           of an adult arrest and conviction for such an offense;  
3           and

4           “(B) retained for a period of time that is equal  
5           to the period of time records are kept for adult convic-  
6           tions.

7           “(2) Such records shall be made available for official  
8           purposes, including communications with any victim or,  
9           in the case of a deceased victim, such victim’s representa-  
10          tive, or school officials, and to the public to the same extent  
11          as court records regarding the criminal prosecutions of  
12          adults are available.

13          “(b) The Attorney General shall establish guidelines for  
14          fingerprinting and photographing a juvenile who is the sub-  
15          ject of any proceeding authorized under this chapter. Such  
16          guidelines shall address the availability of pictures of any  
17          juvenile taken into custody but not prosecuted as an adult.  
18          Fingerprints and photographs of a juvenile who is pros-  
19          ecuted as an adult shall be made available in the manner  
20          applicable to adult offenders.

21          “(c) Whenever a juvenile has been adjudicated delin-  
22          quent for an act that, if committed by an adult, would be  
23          a felony or for a violation of section 924(a)(6), the court  
24          shall transmit to the Federal Bureau of Investigation the  
25          information concerning the adjudication, including name,

1 *date of adjudication, court, offenses, and sentence, along*  
 2 *with the notation that the matter was a juvenile adjudica-*  
 3 *tion.*

4       “(d) *In addition to any other authorization under this*  
 5 *section for the reporting, retention, disclosure, or availabil-*  
 6 *ity of records or information, if the law of the State in*  
 7 *which a Federal juvenile delinquency proceeding takes place*  
 8 *permits or requires the reporting, retention, disclosure, or*  
 9 *availability of records or information relating to a juvenile*  
 10 *or to a juvenile delinquency proceeding or adjudication in*  
 11 *certain circumstances, then such reporting, retention, dis-*  
 12 *closure, or availability is permitted under this section*  
 13 *whenever the same circumstances exist.”.*

14 **SEC. 508. TECHNICAL AMENDMENTS OF SECTIONS 5031 AND**  
 15 **5034.**

16       (a) *ELIMINATION OF PRONOUNS.*—Sections 5031 and  
 17 5034 of title 18, United States Code, are each amended by  
 18 striking “his” each place it appears and inserting “the juve-  
 19 nile’s”.

20       (b) *UPDATING OF REFERENCE.*—Section 5034 of title  
 21 18, United States Code, is amended—

22               (1) *in the heading of such section, by striking*  
 23 **“magistrate”** and inserting **“judicial officer”**;  
 24 *and*



1           (2) *by striking “magistrate” each place it ap-*  
 2           *pears and inserting “judicial officer”.*

3   **SEC. 509. CLERICAL AMENDMENTS TO TABLE OF SECTIONS**  
 4           **FOR CHAPTER 403.**

5           *The heading and the table of sections at the beginning*  
 6   *of chapter 403 of title 18, United States Code, is amended*  
 7   *to read as follows:*

8   **“CHAPTER 403—JUVENILE DELINQUENCY**

*“Sec.*

*“5031. Definitions.*

*“5032. Delinquency proceedings or criminal prosecutions in district courts.*

*“5033. Custody prior to appearance before judicial officer.*

*“5034. Duties of judicial officer.*

*“5035. Detention prior to disposition or sentencing.*

*“5036. Speedy trial.*

*“5037. Disposition.*

*“5038. Juvenile records and fingerprinting.*

*“5039. Commitment.*

*“5040. Support.*

*“5041. Repealed.*

*“5042. Revocation of probation.”.*

9           **TITLE VI—APPREHENDING**  
 10           **ARMED VIOLENT YOUTH**

11   **SEC. 601. ARMED VIOLENT YOUTH APPREHENSION DIREC-**  
 12           **TIVE.**

13           *(a) IN GENERAL.—Not later than 180 days after the*  
 14   *date of the enactment of this Act, the Attorney General of*  
 15   *the United States shall establish an armed violent youth*  
 16   *apprehension program consistent with the following re-*  
 17   *quirements:*

18           *(1) Each United States attorney shall designate*  
 19   *at least 1 assistant United States attorney to pros-*

1        *ecute, on either a full- or part-time basis, armed vio-*  
2        *lent youth.*

3            *(2) Each United States attorney shall establish*  
4        *an armed youth criminal apprehension task force*  
5        *comprised of appropriate law enforcement representa-*  
6        *tives. The task force shall develop strategies for remov-*  
7        *ing armed violent youth from the streets, taking into*  
8        *consideration—*

9            *(A) the importance of severe punishment in*  
10        *detering armed violent youth crime;*

11           *(B) the effectiveness of Federal and State*  
12        *laws pertaining to apprehension and prosecution*  
13        *of armed violent youth;*

14           *(C) the resources available to each law en-*  
15        *forcement agency participating in the task force;*

16           *(D) the nature and extent of the violent*  
17        *youth crime occurring in the district for which*  
18        *the United States attorney is appointed; and*

19           *(E) the principle of limited Federal involve-*  
20        *ment in the prosecution of crimes traditionally*  
21        *prosecuted in State and local jurisdictions.*

22           *(3) Not less frequently than bimonthly, the Attor-*  
23        *ney General shall require each United States attorney*  
24        *to report to the Department of Justice the number of*  
25        *youths charged with, or convicted of, violating section*

1       922(g) or 924 of title 18, United States Code, in the  
 2       district for which the United States attorney is ap-  
 3       pointed and the number of youths referred to a State  
 4       for prosecution for similar offenses.

5           (4) Not less frequently than twice annually, the  
 6       Attorney General shall submit to the Congress a com-  
 7       pilation of the information received by the Depart-  
 8       ment of Justice pursuant to paragraph (3) and a re-  
 9       port on all waivers granted under subsection (b).

10       (b) *WAIVER AUTHORITY.*—

11           (1) *REQUEST FOR WAIVER.*—A United States at-  
 12       torney may request the Attorney General to waive the  
 13       requirements of subsection (a) with respect to the  
 14       United States attorney.

15           (2) *PROVISION OF WAIVER.*—The Attorney Gen-  
 16       eral may waive the requirements of subsection (a)  
 17       pursuant to a request made under paragraph (1), in  
 18       accordance with guidelines which shall be established  
 19       by the Attorney General. In establishing the guide-  
 20       lines, the Attorney General shall take into consider-  
 21       ation the number of assistant United States attorneys  
 22       in the office of the United States attorney making the  
 23       request and the level of violent youth crime committed  
 24       in the district for which the United States attorney  
 25       is appointed.

1       (c) *ARMED VIOLENT YOUTH DEFINED.*—As used in  
 2 this section, the term “armed violent youth” means a person  
 3 who has not attained 18 years of age and is accused of vio-  
 4 lating—

5           (1) section 922(g)(1) of title 18, United States  
 6 Code, having been previously convicted of—

7               (A) a violent crime; or

8               (B) conduct that would have been a violent  
 9 crime had the person been an adult; or  
 10          (2) section 924 of such title.

11       (d) *SUNSET.*—This section shall have no force or effect  
 12 after the 5-year period that begins 180 days after the date  
 13 of the enactment of this Act.

14 **TITLE VII—ACCOUNTABILITY**  
 15 **FOR JUVENILE OFFENDERS**  
 16 **AND PUBLIC PROTECTION IN-**  
 17 **CENTIVE GRANTS**

18 **SEC. 701. SHORT TITLE.**

19       This title may be cited as the “Juvenile Accountability  
 20 Block Grants Act of 1998”.

21 **SEC. 702. BLOCK GRANT PROGRAM.**

22       (a) *IN GENERAL.*—Part R of title I of the Omnibus  
 23 Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796  
 24 et seq.) is amended to read as follows:

1     **“PART R—JUVENILE ACCOUNTABILITY BLOCK**  
2                                   **GRANTS**

3     **“SEC. 1801. PROGRAM AUTHORIZED.**

4             “(a) *IN GENERAL.*—*The Attorney General is author-*  
5     *ized to provide grants to States, for use by States and units*  
6     *of local government, and in certain cases directly to eligible*  
7     *units.*

8             “(b) *AUTHORIZED ACTIVITIES.*—*Amounts paid to a*  
9     *State, a unit of local government, or an eligible unit under*  
10    *this part shall be used by the State, unit of local govern-*  
11    *ment, or eligible unit for the purpose of promoting greater*  
12    *accountability in the juvenile justice system, which in-*  
13    *cludes—*

14                 “(1) *building, expanding, renovating, or operat-*  
15     *ing temporary or permanent juvenile correction or de-*  
16     *tention facilities, including training of correctional*  
17     *personnel;*

18                 “(2) *developing and administering accountabil-*  
19     *ity-based sanctions for juvenile offenders;*

20                 “(3) *hiring additional juvenile judges, probation*  
21     *officers, and court-appointed defenders, and funding*  
22     *pre-trial services for juveniles, to ensure the smooth*  
23     *and expeditious administration of the juvenile justice*  
24     *system;*

1           “(4) hiring additional prosecutors, so that more  
2 cases involving violent juvenile offenders can be pros-  
3 ecuted and backlogs reduced;

4           “(5) providing funding to enable prosecutors to  
5 address drug, gang, and youth violence problems more  
6 effectively;

7           “(6) providing funding for technology, equip-  
8 ment, and training to assist prosecutors in identify-  
9 ing and expediting the prosecution of violent juvenile  
10 offenders;

11           “(7) providing funding to enable juvenile courts  
12 and juvenile probation offices to be more effective and  
13 efficient in holding juvenile offenders accountable and  
14 reducing recidivism;

15           “(8) the establishment of court-based juvenile jus-  
16 tice programs that target young firearms offenders  
17 through the establishment of juvenile gun courts for  
18 the adjudication and prosecution of juvenile firearms  
19 offenders;

20           “(9) the establishment of drug court programs  
21 for juveniles so as to provide continuing judicial su-  
22 pervision over juvenile offenders with substance abuse  
23 problems and to provide the integrated administra-  
24 tion of other sanctions and services;

1           “(10) establishing and maintaining interagency  
 2           information-sharing programs that enable the juvenile  
 3           and criminal justice system, schools, and social serv-  
 4           ices agencies to make more informed decisions regard-  
 5           ing the early identification, control, supervision, and  
 6           treatment of juveniles who repeatedly commit serious  
 7           delinquent or criminal acts; and

8           “(11) establishing and maintaining accountabil-  
 9           ity-based programs that work with juvenile offenders  
 10          who are referred by law enforcement agencies, or  
 11          which are designed, in cooperation with law enforce-  
 12          ment officials, to protect students and school person-  
 13          nel from drug, gang, and youth violence.

14   **“SEC. 1802. GRANT ELIGIBILITY.**

15          “(a) *STATE ELIGIBILITY.*—To be eligible to receive a  
 16          grant under this section, a State shall submit to the Attor-  
 17          ney General an application at such time, in such form, and  
 18          containing such assurances and information as the Attor-  
 19          ney General may require by rule, including assurances that  
 20          the State and any unit of local government to which the  
 21          State provides funding under section 1803(b), has in effect  
 22          (or will have in effect not later than 1 year after the date  
 23          a State submits such application) laws, or has implemented  
 24          (or will implement not later than 1 year after the date a

1 *State submits such application) policies and programs,*  
 2 *that—*

3           “(1) *ensure that juveniles who commit an act*  
 4 *after attaining 15 years of age that would be a seri-*  
 5 *ous violent crime if committed by an adult are treat-*  
 6 *ed as adults for purposes of prosecution as a matter*  
 7 *of law, or that the prosecutor has the authority to de-*  
 8 *termine whether or not to prosecute such juveniles as*  
 9 *adults;*

10           “(2) *impose sanctions on juvenile offenders for*  
 11 *every delinquent or criminal act, or violation of pro-*  
 12 *bation, ensuring that such sanctions escalate in sever-*  
 13 *ity with each subsequent, more serious delinquent or*  
 14 *criminal act, or violation of probation, including*  
 15 *such accountability-based sanctions as—*

16                   “(A) *restitution;*

17                   “(B) *community service;*

18                   “(C) *punishment imposed by community*  
 19 *accountability councils comprised of individuals*  
 20 *from the offender’s and victim’s communities;*

21                   “(D) *finest; and*

22                   “(E) *short-term confinement;*

23           “(3) *establish at a minimum a system of records*  
 24 *relating to any adjudication of a juvenile who has a*  
 25 *prior delinquency adjudication and who is adju-*



1        *licated delinquent for conduct that if committed by*  
 2        *an adult would constitute a felony under Federal or*  
 3        *State law which is a system equivalent to that main-*  
 4        *tained for adults who commit felonies under Federal*  
 5        *or State law; and*

6                *“(4) ensure that State law does not prevent a ju-*  
 7        *venile court judge from issuing a court order against*  
 8        *a parent, guardian, or custodian of a juvenile of-*  
 9        *fender regarding the supervision of such an offender*  
 10        *and from imposing sanctions for a violation of such*  
 11        *an order.*

12        *“(b) LOCAL ELIGIBILITY.—*

13                *“(1) SUBGRANT ELIGIBILITY.—To be eligible to*  
 14        *receive a subgrant, a unit of local government shall*  
 15        *provide such assurances to the State as the State shall*  
 16        *require, that, to the maximum extent applicable, the*  
 17        *unit of local government has laws or policies and pro-*  
 18        *grams which—*

19                *“(A) ensure that juveniles who commit an*  
 20        *act after attaining 15 years of age that would be*  
 21        *a serious violent crime if committed by an adult*  
 22        *are treated as adults for purposes of prosecution*  
 23        *as a matter of law, or that the prosecutor has the*  
 24        *authority to determine whether or not to pros-*  
 25        *ecute such juveniles as adults;*

1           “(B) impose a sanction for every delinquent  
 2           or criminal act, or violation of probation, ensur-  
 3           ing that such sanctions escalate in severity with  
 4           each subsequent, more serious delinquent or  
 5           criminal act, or violation of probation; and

6           “(C) ensure that there is a system of records  
 7           relating to any adjudication of a juvenile who is  
 8           adjudicated delinquent for conduct that if com-  
 9           mitted by an adult would constitute a felony  
 10          under Federal or State law which is a system  
 11          equivalent to that maintained for adults who  
 12          commit felonies under Federal or State law.

13          “(2) *SPECIAL RULE.*—The requirements of para-  
 14          graph (1) shall apply to an eligible unit that receives  
 15          funds from the Attorney General under section 1803,  
 16          except that information that would otherwise be sub-  
 17          mitted to the State shall be submitted to the Attorney  
 18          General.

19   **“SEC. 1803. ALLOCATION AND DISTRIBUTION OF FUNDS.**

20          “(a) *STATE ALLOCATION.*—

21               “(1) *IN GENERAL.*—In accordance with regula-  
 22               tions promulgated pursuant to this part, the Attorney  
 23               General shall allocate—

24                   “(A) 0.25 percent for each State; and

1           “(B) of the total funds remaining after the  
 2           allocation under subparagraph (A), to each  
 3           State, an amount which bears the same ratio to  
 4           the amount of remaining funds described in this  
 5           subparagraph as the population of people under  
 6           the age of 18 living in such State for the most  
 7           recent calendar year in which such data is avail-  
 8           able bears to the population of people under the  
 9           age of 18 of all the States for such fiscal year.

10          “(2) *PROPORTIONAL REDUCTION.*—If amounts  
 11          available to carry out paragraph (1)(A) for any pay-  
 12          ment period are insufficient to pay in full the total  
 13          payment that any State is otherwise eligible to receive  
 14          under paragraph (1)(A) for such period, then the At-  
 15          torney General shall reduce payments under para-  
 16          graph (1)(A) for such payment period to the extent of  
 17          such insufficiency. Reductions under the preceding  
 18          sentence shall be allocated among the States (other  
 19          than States whose payment is determined under  
 20          paragraph (2)) in the same proportions as amounts  
 21          would be allocated under paragraph (1) without re-  
 22          gard to paragraph (2).

23          “(3) *PROHIBITION.*—No funds allocated to a  
 24          State under this subsection or received by a State for  
 25          distribution under subsection (b) may be distributed

1       *by the Attorney General or by the State involved for*  
 2       *any program other than a program contained in an*  
 3       *approved application.*

4       “(b) *LOCAL DISTRIBUTION.*—

5               “(1) *IN GENERAL.*—*Each State which receives*  
 6       *funds under subsection (a)(1) in a fiscal year shall*  
 7       *distribute not less than 75 percent of such amounts*  
 8       *received among units of local government, for the pur-*  
 9       *poses specified in section 1801. In making such dis-*  
 10       *tribution the State shall allocate to such units of local*  
 11       *government an amount which bears the same ratio to*  
 12       *the aggregate amount of such funds as—*

13               “(A) *the sum of—*

14                       “(i) *the product of—*

15                               “(I) *two-thirds; multiplied by*

16                                       “(II) *the average law enforcement ex-*  
 17       *penditure for such unit of local government*  
 18       *for the 3 most recent calendar years for*  
 19       *which such data is available; plus*

20                       “(ii) *the product of—*

21                               “(I) *one-third; multiplied by*

22                                       “(II) *the average annual number of*  
 23       *part 1 violent crimes in such unit of local*  
 24       *government for the 3 most recent calendar*

1                   *years for which such data is available, bears*  
 2                   *to—*

3                   “(B) *the sum of the products determined under*  
 4                   *subparagraph (A) for all such units of local govern-*  
 5                   *ment in the State.*

6                   “(2) *EXPENDITURES.—The allocation any unit*  
 7                   *of local government shall receive under paragraph (1)*  
 8                   *for a payment period shall not exceed 100 percent of*  
 9                   *law enforcement expenditures of the unit for such*  
 10                   *payment period.*

11                   “(3) *REALLOCATION.—The amount of any unit*  
 12                   *of local government’s allocation that is not available*  
 13                   *to such unit by operation of paragraph (2) shall be*  
 14                   *available to other units of local government that are*  
 15                   *not affected by such operation in accordance with this*  
 16                   *subsection.*

17                   “(c) *UNAVAILABILITY OF DATA FOR UNITS OF LOCAL*  
 18                   *GOVERNMENT.—If the State has reason to believe that the*  
 19                   *reported rate of part 1 violent crimes or law enforcement*  
 20                   *expenditure for a unit of local government is insufficient*  
 21                   *or inaccurate, the State shall—*

22                   “(1) *investigate the methodology used by the unit*  
 23                   *to determine the accuracy of the submitted data; and*

24                   “(2) *if necessary, use the best available com-*  
 25                   *parable data regarding the number of violent crimes*

1        *or law enforcement expenditure for the relevant years*  
 2        *for the unit of local government.*

3        “(d) *LOCAL GOVERNMENT WITH ALLOCATIONS LESS*  
 4        *THAN \$5,000.—If under this section a unit of local govern-*  
 5        *ment is allocated less than \$5,000 for a payment period,*  
 6        *the amount allotted shall be expended by the State on serv-*  
 7        *ices to units of local government whose allotment is less*  
 8        *than such amount in a manner consistent with this part.*

9        “(e) *DIRECT GRANTS TO ELIGIBLE UNITS.—*

10        “(1) *IN GENERAL.—If a State does not qualify or*  
 11        *apply for funds reserved for allocation under sub-*  
 12        *section (a) by the application deadline established by*  
 13        *the Attorney General, the Attorney General shall re-*  
 14        *serve not more than 75 percent of the allocation that*  
 15        *the State would have received under subsection (a) for*  
 16        *such fiscal year to provide grants to eligible units*  
 17        *which meet the requirements for funding under sub-*  
 18        *section (b).*

19        “(2) *AWARD BASIS.—In addition to the quali-*  
 20        *fication requirements for direct grants for eligible*  
 21        *units the Attorney General may use the average*  
 22        *amount allocated by the States to like governmental*  
 23        *units as a basis for awarding grants under this sec-*  
 24        *tion.*

1 **“SEC. 1804. REGULATIONS.**

2       *“The Attorney General shall issue regulations estab-*  
 3 *lishing procedures under which an eligible State or unit*  
 4 *of local government that receives funds under section 1803*  
 5 *is required to provide notice to the Attorney General regard-*  
 6 *ing the proposed use of funds made available under this*  
 7 *part.*

8 **“SEC. 1805. PAYMENT REQUIREMENTS.**

9       *“(a) TIMING OF PAYMENTS.—The Attorney General*  
 10 *shall pay each State or unit of local government that re-*  
 11 *ceives funds under section 1803 that has submitted an ap-*  
 12 *plication under this part not later than—*

13               *“(1) 180 days after the date that the amount is*  
 14 *available; or*

15               *“(2) the first day of the payment period if the*  
 16 *State has provided the Attorney General with the as-*  
 17 *surances required by subsection (c),*  
 18 *whichever is later.*

19       **“(b) REPAYMENT OF UNEXPENDED AMOUNTS.—**

20               *“(1) REPAYMENT REQUIRED.—From amounts*  
 21 *appropriated under this part, a State shall repay to*  
 22 *the Attorney General, by not later than 27 months*  
 23 *after receipt of funds from the Attorney General, any*  
 24 *amount that is not expended by the State within 2*  
 25 *years after receipt of such funds from the Attorney*  
 26 *General.*

1           “(2) *PENALTY FOR FAILURE TO REPAY.*—If the  
2           amount required to be repaid is not repaid, the Attor-  
3           ney General shall reduce payment in future payment  
4           periods accordingly.

5           “(3) *DEPOSIT OF AMOUNTS REPAID.*—Amounts  
6           received by the Attorney General as repayments under  
7           this subsection shall be deposited in a designated fund  
8           for future payments to States.

9           “(c) *ADMINISTRATIVE COSTS.*—A State, unit of local  
10          government or eligible unit that receives funds under this  
11          part may use not more than 10 percent of such funds to  
12          pay for administrative costs.

13          “(d) *NONSUPPLANTING REQUIREMENT.*—Funds made  
14          available under this part to States, units of local govern-  
15          ment, or eligible units shall not be used to supplant State  
16          or local funds as the case may be, but shall be used to in-  
17          crease the amount of funds that would, in the absence of  
18          funds made available under this part, be made available  
19          from State or local sources, as the case may be.

20          “(e) *MATCHING FUNDS.*—The Federal share of a grant  
21          received under this part may not exceed 90 percent of the  
22          costs of a program or proposal funded under this part.

23          **“SEC. 1806. UTILIZATION OF PRIVATE SECTOR.**

24          *“Funds or a portion of funds allocated under this part*  
25          *may be utilized to contract with private, nonprofit entities*



1 *or community-based organizations to carry out the purposes*  
 2 *specified under section 1801(a)(2).*

3 **“SEC. 1807. ADMINISTRATIVE PROVISIONS.**

4       “(a) *IN GENERAL.*—*A State that receives funds under*  
 5 *this part shall—*

6               “(1) *establish a trust fund in which the govern-*  
 7 *ment will deposit all payments received under this*  
 8 *part; and*

9               “(2) *use amounts in the trust fund (including*  
 10 *interest) during a period not to exceed 2 years from*  
 11 *the date the first grant payment is made to the State;*

12               “(3) *designate an official of the State to submit*  
 13 *reports as the Attorney General reasonably requires,*  
 14 *in addition to the annual reports required under this*  
 15 *part; and*

16               “(4) *spend the funds only for the purposes under*  
 17 *section 1801(b).*

18       “(b) *TITLE I PROVISIONS.*—*The administrative provi-*  
 19 *sions of part H shall apply to this part and for purposes*  
 20 *of this section any reference in such provisions to title I*  
 21 *shall be deemed to include a reference to this part.*

22 **“SEC. 1808. DEFINITIONS.**

23       “*For the purposes of this part:*

24               “(1) *The term ‘unit of local government’*  
 25 *means—*

1           “(A) a county, township, city, or political  
 2           subdivision of a county, township, or city, that  
 3           is a unit of local government as determined by  
 4           the Secretary of Commerce for general statistical  
 5           purposes; and

6           “(B) the District of Columbia and the rec-  
 7           ognized governing body of an Indian tribe or  
 8           Alaskan Native village that carries out substan-  
 9           tial governmental duties and powers.

10          “(2) The term ‘eligible unit’ means a unit of  
 11          local government which may receive funds under sec-  
 12          tion 1803(e).

13          “(3) The term ‘State’ means any State of the  
 14          United States, the District of Columbia, the Common-  
 15          wealth of Puerto Rico, the Virgin Islands, American  
 16          Samoa, Guam, and the Northern Mariana Islands,  
 17          except that American Samoa, Guam, and the North-  
 18          ern Mariana Islands shall be considered as 1 State  
 19          and that, for purposes of section 1803(a), 33 percent  
 20          of the amounts allocated shall be allocated to Amer-  
 21          ican Samoa, 50 percent to Guam, and 17 percent to  
 22          the Northern Mariana Islands.

23          “(4) The term ‘juvenile’ means an individual  
 24          who is 17 years of age or younger.

1           “(5) The term ‘law enforcement expenditures’  
 2       means the expenditures associated with police, pros-  
 3       ecutorial, legal, and judicial services, and corrections  
 4       as reported to the Bureau of the Census for the fiscal  
 5       year preceding the fiscal year for which a determina-  
 6       tion is made under this part.

7           “(6) The term ‘part 1 violent crimes’ means  
 8       murder and nonnegligent manslaughter, forcible rape,  
 9       robbery, and aggravated assault as reported to the  
 10      Federal Bureau of Investigation for purposes of the  
 11      Uniform Crime Reports.

12          “(7) The term ‘serious violent crime’ means mur-  
 13      der, aggravated sexual assault, and assault with a  
 14      firearm.

15   **“SEC. 1809. AUTHORIZATION OF APPROPRIATIONS.**

16          “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
 17      are authorized to be appropriated to carry out this part—

18           “(1) \$500,000,000 for fiscal year 1999;

19           “(2) \$500,000,000 for fiscal year 2000; and

20           “(3) \$500,000,000 for fiscal year 2001.

21          “(b) OVERSIGHT ACCOUNTABILITY AND ADMINISTRA-  
 22      TION.—Not more than 1 percent of the amount authorized  
 23      to be appropriated under subsection (a), with such amounts  
 24      to remain available until expended, for each of the fiscal  
 25      years 1999 through 2001 shall be available to the Attorney

1 *General for studying the overall effectiveness and efficiency*  
 2 *of the provisions of this part, assuring compliance with the*  
 3 *provisions of this part, and for administrative costs to*  
 4 *carry out the purposes of this part. The Attorney General*  
 5 *shall establish and execute an oversight plan for monitoring*  
 6 *the activities of grant recipients.*

7 “(c) *FUNDING SOURCE.*—Appropriations for activities  
 8 authorized in this part may be made from the Violent  
 9 Crime Reduction Trust Fund.”.

10 (b) *CLERICAL AMENDMENTS.*—The table of contents of  
 11 title I of the Omnibus Crime Control and Safe Streets Act  
 12 of 1968 is amended by striking the item relating to part  
 13 R and inserting the following:

“PART R—JUVENILE ACCOUNTABILITY BLOCK GRANTS

“Sec. 1801. Program authorized.

“Sec. 1802. Grant eligibility.

“Sec. 1803. Allocation and distribution of funds.

“Sec. 1804. Regulations.

“Sec. 1805. Payment requirements.

“Sec. 1806. Utilization of private sector.

“Sec. 1807. Administrative provisions.

“Sec. 1808. Definitions.

“Sec. 1809. Authorization of appropriations.”.

14 **TITLE VIII—SPECIAL PRIORITY**  
 15 **FOR CERTAIN DISCRE-**  
 16 **TIONARY GRANTS**

17 **SEC. 801. SPECIAL PRIORITY.**

18 Section 517 of title I of the Omnibus Crime Control  
 19 and Safe Streets Act of 1968 is amended by adding at the  
 20 end the following:

1       “(c) *SPECIAL PRIORITY.*—In awarding discretionary  
 2   grants under section 511 to public agencies to undertake  
 3   law enforcement initiatives relating to gangs, or to juveniles  
 4   who are involved or at risk of involvement in gangs, the  
 5   Director shall give special priority to a public agency that  
 6   includes in its application a description of strategies, either  
 7   in effect or proposed, providing for cooperation between  
 8   local, State, and Federal law enforcement authorities to dis-  
 9   rupt the illegal sale or transfer of firearms to or between  
 10   juveniles through tracing the sources of crime guns provided  
 11   to juveniles.”.

## 12       ***TITLE IX—GRANT REDUCTION***

### 13       ***SEC. 901. PARENTAL NOTIFICATION.***

14       (a) *GRANT REDUCTION FOR NONCOMPLIANCE.*—Sec-  
 15   tion 506 of title I of the Omnibus Crime Control and Safe  
 16   Streets Act of 1968 is amended by adding at the end the  
 17   following:

18       “(g) *INFORMATION ACCESS.*—

19               “(1) *IN GENERAL.*—The funds available under  
 20   this subpart for a State shall be reduced by 20 percent  
 21   and redistributed under paragraph (2) unless the  
 22   State—

23               “(A) submits to the Attorney General, not  
 24   later than 1 year after the date of the enactment  
 25   of the Juvenile Crime Control Act of 1998, a

1           *plan that describes a process to notify parents*  
 2           *regarding the enrollment of a juvenile sex of-*  
 3           *fender in an elementary or secondary school that*  
 4           *their child attends; and*

5           “(B) *adheres to the requirements described*  
 6           *in such plan in each subsequent year as deter-*  
 7           *mined by the Attorney General.*

8           “(2) *REDISTRIBUTION.—To the extent approved*  
 9           *in advance in appropriations Acts, any funds avail-*  
 10          *able for redistribution shall be redistributed to par-*  
 11          *ticipating States that have submitted a plan in ac-*  
 12          *cordance with paragraph (1).*

13          “(3) *COMPLIANCE.—The Attorney General shall*  
 14          *issue regulations to ensure compliance with the re-*  
 15          *quirements of paragraph (1).”.*

## 16   ***TITLE X—GENERAL PROVISIONS***

### 17   ***SEC. 1001. EFFECTIVE DATE; APPLICATION OF AMEND-*** 18          ***MENTS.***

19          “(a) *EFFECTIVE DATE.—Except as provided in sub-*  
 20          *section (b), this Act and the amendments made by this Act*  
 21          *shall take effect on the date of the enactment of this Act.*

22          “(b) *APPLICATION OF AMENDMENTS.—The amendments*  
 23          *made by this Act shall apply only with respect to fiscal*  
 24          *years beginning after September 30, 1998.*

Amend the title so as to read: “An Act to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1999, 2000, 2001, and 2002, and for other purposes.”.

Attest:

*Clerk.*